

Drollinger loses appeal to Indiana Supreme Court

Community Affairs File *Crime & Criminals, Inc.*

T AUG 27 1980

INDIANAPOLIS (UPI) — Roger C. Drollinger, the convicted ringleader of an attack at a Parke County residence in 1977 when four teen-agers were killed, has lost his appeal to the Indiana Supreme Court.

The high court Tuesday upheld the conviction of Drollinger on four counts of murder and a subsequent sentence of four life terms in prison for the execution style slayings of brothers Raymond, Reeve and Ralph Spencer and their stepbrother Gregory Brooks.

Drollinger was tried separately from three co-defendants, two of whom pleaded guilty in bargaining with prosecutors in exchange for testimony at the much-publicized Drollinger trial in Blackford Circuit Court at Hartford City.

Also charged were Daniel Stonebraker, Michael Wright and David Smith. Smith was the only

Area Report

THE TRIBUNE, TERRE HAUTE

WEDNESDAY, AUGUST 27, 1980 37

other suspect to be tried.

Appeal by Drollinger's attorneys was based on 11 issues, including the introduction of gruesome photographs of the slaying victims and the murder scene and the fact that the jury was not sequestered during the lengthy trial.

Drollinger claimed use of the photographs was to "inflame the minds of the jurors."

"We are dealing here with a case in which four young men were killed, each by shotgun blasts to the back of

the head, inflicted at close range; obviously, the challenged photographs are gruesome," the court ruled. "... Because these pictures depicted different aspects of the case, they were not repetitious or cumulative."

The unanimous supreme court opinion was written by Justice Alfred Pivarnik.

Despite extensive publicity and media coverage of the slayings and court proceedings, Pivarnik wrote

that Blackford Circuit Judge Bruce Bade did not err by refusing to sequester jurors. The court determined Bade took enough safeguards to insure their impartiality.

"... It appears from the record that the trial court wisely took special care to guard against the jury's exposure to extraneous influences and to determine if any such exposure had occurred," the opinion said.

The court also rejected Drollinger's contention that there was insufficient evidence for conviction. The conclusion was drawn from transcripts of testimony by Betty Spencer who survived the Feb. 14, 1977 drama by playing dead while lying on the mobile home next to the bodies of her slain sons.

Keith Spencer, the boys' father, was not at home at the time of the shootings.

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Community Affairs File

Drollinger's Appeal On 16 Counts Of Drug Delivery Denied By State Supreme Court

Crime & Criminals Today
Parke Co. Sentinel 9-10-80

Roger Drollinger, convicted of the 1977 Hollandsburg murders, has not had much luck with the State Supreme Court lately. In August the state's high court upheld the life sentences given Drollinger for the four murders. On September 5 the supreme court upheld Drollinger's conviction on drug charges in Montgomery County.

In a bizarre set of circumstances, Drollinger was on trial in Montgomery County in February of 1977, charged with six counts of delivery of marijuana, methamphetamine and phendimetrazine and phentermine. During the weekend recess of that trial, Drollinger and three other Montgomery County men came to Parke County and broke into the home of Keith and Betty Jane Spencer. They shotgunned to death all four young male members of the family and wounded Mrs. Spencer, although they left her for dead.

Drollinger then re-appeared in Montgomery Circuit Court the next day for the continuation of his drug trial. Ironically, Judge Earl Dowd of Parke Circuit Court, was sitting as special judge in the drug case.

As police closed in on the Hollandsburg murderers, Drollinger went to Florida with David Smith, who was also found guilty of the murders. Drollinger turned himself in to authorities at Indianapolis. Drollinger appeared in Parke Circuit Court on April 18 to answer the murder charges before Judge Dowd at 11:30 a.m. At 1:30 p.m. the two met again, this time in Montgomery Circuit Court where Drollinger was sentenced on the drug charges, of which he had been found guilty prior to leaving for Florida.

Judge Dowd had given Drollinger six sentences on the drug charges, to be served concurrently, the longest of which was 15 years. Undercover police officers had testified that Drollinger had made drug deliveries to them in March and July of 1976. Those terms were to be served before Drollinger began serving the four life sentences he received for the Hollandsburg murders.

Drollinger requested the Indiana public defenders office to appeal the drug convictions.

In his appeal, Drollinger challenged references to previous charges against him in the drug case. The Supreme Court, however, ruled that Drollinger had raised the matter of these charges and the trial court did

not abuse its discretion in allowing this cross-examination."

Justice Alfred Pivarnik, who also wrote the decision of the court in the murder conviction appeal, said "Drollinger's defense was based upon his claim that Swenke (now retired Crawfordsville Police Detective Lt. Louis Swenke) had, by duress, coercion and harrassment, entrapped him into dealing in drugs." Justice Pivarnick said "His testimony that Swenke had signed all the probable cause affidavits against him was calculated to persuade the jury that, as Drollinger claimed, Swenke had been harrassing him for several years. The prosecution was merely refuting this theory on cross-examination by challenging Drollinger's assertion."

The Supreme Court also upheld the trial court's ruling allowing James McGivney, a narcotics

agent, to testify. The court's opinion was that "Drollinger's defense was that Crawfordsville police officer Louis Swenke had threatened him and harrassed him and thereby entrapped him into making the drug deals in question here. He also claimed Swenke was his supplier and the head of all drug traffic in Montgomery County. The trial court properly allowed McGivney to give this rebuttal testimony."

At that trial McGivney testified Drollinger had not made such a charge against Swenke to him, as Drollinger had claimed he did.

Swenke's name also surfaced at Drollinger's murder trial in Blackford Circuit Court in September of 1977. On the stand, Drollinger said that ever since he had witnessed Swenke buying drugs at a party he had been in trouble. He claimed he was plagued by a

long list of arrests and was told to sell drugs or go back to prison. He also intimated that he had been framed for the Hollandsburg murders because of what he knew about Swenke.

Drollinger also claimed he had acted as a drug informant for the FBI, a claim later denied by two FBI agents called to the stand. He said he went to work for the FBI in exchange for protection for himself and his family since he had been threatened and shot at. He also claimed he was told his daughter would be killed if he didn't drop a \$45,000 lawsuit he filed against Swenke for harrassment. He said he started dealing in drugs against his will in November of 1975 after being confronted by Swenke.

Drollinger is serving his sentences at the Indiana State Prison in Michigan City.

Community Affairs File

Valgo County Public Library

REFERENCE
DO NOT CIRCULATE

Crime and Criminals (IN) H

Producer Working On Script Of Hollandsburg Murders

Parke Co. Sentinel 8/18/99

On Terre Haute's WTWO News Channel 2's Midday Edition it was announced by Hollywood screenwriter and West Coast producer Anthony Bruce of Los Angeles, California, that he is working to complete a script about the infamous 1977 Hollandsburg murders of Parke County.

The effort will take the audience back to that unforgettable night, nearly 23 years ago, when the rural modular home of Keith and Betty Spencer was ransacked and their four sons were massacred execution-style on their living room floor. Mrs. Spencer was thought to be dead by the intruders, only to have had her wig shot off, and assisted with the prosecution of her sons' killers.

"Although I didn't have anything to do the with case, I've always felt a spiritual closeness with the Spencer family. And even though I didn't know the boys, I felt a tremendous loss as well," said Bruce, who was in the fifth grade when it happened. "I remember the surreal feeling in all the Indiana cities close to Hollandsburg, including my hometown, being shattered and people being forced to deadbolt their doors, when the norm was to keep them unlocked. Some people even bought guns to protect themselves." It is for that very reason Bruce is working to complete his script.

He has discussed the possibility of actually coming to Parke County, with executive producer Edward J. Fasulo of December First Films, a division of Epico Productions in New York, to shoot the finished screenplay on location and has been met with positive reaction. "If everything works out like I think it will, film crews will be in the area sometime during the winter in 2000," he explained.

Bruce wants to stress the fact and says he's not writing the screenplay or co-producing the film just to make himself some money. "Sure, I need to eat and pay my

condo rent, but my main objective is to tell the story as truthful and accurate as possible and to let the world know the horror the Spencer family experienced." He said he's even willing to donate a percentage of his personal income derived from the film to some type of crime prevention program in Parke County, where his nephew, Jason Sullivan, resides and works as a law enforcement officer. He has also promised to be as sensitive and respectful as possible with regards to the Spencer family and the residents of nearby communities. "This project, in no way, will be a direct or cheap exploitation of the victims involved. They've already been through enough."

In 1985, while a student at Indiana State University, Bruce had an interview with Betty Spencer for a sociology class project. "She was extremely cooperative during the interview. I remember her eyes whaling up with tears when she discussed the murders. I also remember me breaking down in tears just thinking about what that poor woman went through on the drive back to Terre Haute. I've not spoken to her since, but I hope to get her blessing for my current project, whenever word reaches her about what it is that I'm doing," Bruce said.

Bruce is currently seeking assistance from those in the community who are able to offer background information regarding the case. "I welcome any type of input from anyone who was close to the situation. Family members, friends of

[See HOLLANDSBURG - Page 3

-- Hollandsburg

[Continued From Page One]

the victims, anyone with a story to tell, I'd love to hear from them. The more information I receive, the better presentation I can make with the completed project," Bruce said.

Correspondence can be mailed to Anthony Bruce in care of his West Coast Production Office at December First Films, 6072 Franklin Avenue, Suite 107, Los Angeles, California, 90028-5580.

VTWO COUNTY PUBLIC LIBRARY
TERRE HAUTE, INDIANA

Community Affairs File

REFERENCE
DO NOT CIRCULATE

1999

HOLLANDSBURG MURDERS

6/22/77 *Rockville Ind*
Crimes & Criminals, Ind

Claims Judge Allowed Errors In Drug Trial

Nile Stanton, an Indianapolis attorney, has filed a motion to correct errors and request a new trial for Roger Drollinger in a narcotics case in Montgomery County. Stanton claims Parke Circuit Court Judge Earl Dowd, sitting as special judge in that case at Crawfordsville, allowed six errors in conducting the drug trial.

Judge Dowd sentenced Drollinger on six charges of dealing and possession of drugs, a sentence that was six weeks behind schedule. A Montgomery County jury had found Drollinger guilty of all six counts and recommended 49 years imprisonment. Following that guilty verdict, Judge Dowd allowed the defendant to remain free on a \$35,000 bond, provided by his family, until the formal sentencing session on March 1.

Drollinger disappeared from Montgomery County before the sentencing. On March 8 a murder warrant was issued against him, charging him and three other Montgomery County men with first degree murder in the execution style slayings of Ralph Reeve and Raymond Spencer and Greg Brooks at their home near Hollandsburg on February 14. Drollinger appeared in Montgomery Circuit Court the day after the murders, for his drug trial.

Drollinger and another suspect, David Smith, were the objects of a nationwide manhunt which ended on April 11 when he surrendered in Stanton's office in Indianapolis.

Judge Dowd did follow the drug trial jury's recommendations and sentenced Drollinger to 49 years imprisonment. However, he ruled that the term would be served concurrently, rather than one after another. That gave Drollinger a maximum of 15 years in prison. He will be eligible to be considered for parole after seven and one-half years. That sentence was handed down April 18 in Montgomery County after Drollinger had appeared in Parke Circuit Court that same morning on the murder charges. Drollinger is now at the Indiana State Prison in Michigan City.

Stanton, in his motion for a new trial on the drug charges, contends that Judge Dowd refused to allow William Norris to testify for Drollinger. Norris was reportedly involved in another drug case worked by Crawfordsville police detective Lt. Louis Swenke. Stanton claims Norris' testimony would have been relevant to the defense because it would have dealt with alleged activities on the part of Swenke.

Swenke, Drollinger and

Stanton have apparently been at odds for several years. During the drug trial, Stanton tried to discredit Swenke by calling attention to his work as an undercover agent in narcotic cases. At one point in the trial, Swenke and Stanton almost came to blows outside the courtroom and had to be separated. Swenke had charged the attorney had no defense for his client and the only hope he had was to attack the police. The Crawfordsville Journal-Review reported that Stanton admitted that such tactics was all he had and quoted him as saying no one believed the story, "especially the jury."

Swenke and Drollinger's father also had a confrontation at the sentencing session and had to be separated.

Drollinger has also accused Swenke of "setting him up" for the Hollandsburg murders. In one television interview, Drollinger said Swenke was involved in one of the biggest drug rings around and framed him on the drug charges. Drollinger also said Swenke had a contract out on him to have him killed. In replying to those charges, Swenke said his job was "to rid the streets of scum like Roger Drollinger."

In his second point for a retrial, Stanton said the court was in error for not allowing the jury to hear a taped recording of what Norris would have said had he been allowed to testify. Stanton said the recording would have conflicted with testimony given by Lt. Swenke.

Another error on Judge Dowd's part, according to Stanton, was that remarks allegedly made by Drollinger to a drug enforcement agent were allowed which were inconsistent with Drollinger's own testimony.

He also said it was an error to allow certain drugs to be presented in evidence without first establishing a chain of custody. Chain of custody is various testimony of each law enforcement officer handling evidence from the time it was taken until the time it was presented into courtroom evidence.

REFERENCE
DO NOT CIRCULATE

Eligo County Public Library

Community Affairs File

✓ Trial Error X

(Continued From Page One)

Stanton also claimed that Drollinger should have been allowed to state that Lt. Swenke had illegally dealt in drugs, remarks not allowed by Judge Dowd. The attorney also said the judge erred by not reading an instruction to the jury which deals with entrapment. Entrapment is when an officer purposely sets up an illegal situation and gets a person to become involved in it and then arrests him.

One of the most unique points made by Stanton in asking for a new trial was a charge that Judge Dowd allowed Drollinger to make statements calling attention to the nature of other charges against him which had either been disposed of or were still pending at the time.

At one point in the trial, Drollinger accidentally blurted out the unsolicited information that indicated Swenke had signed probable cause affidavits against him everytime he was in trouble. Stanton also said that statement was not true. Stanton objected to the prosecution asking Drollinger questions about the nature of those charges, but was overruled by Judge Dowd. This action, Stanton claims, prejudiced the jury against his client.

The filing of the new trial request motion apparently means that Stanton is still working for Drollinger on the drug charge case. Montgomery County attorneys have been quoted as estimating that Stanton probably received as much as \$10,000 to defend Drollinger in the case.

However, Stanton is a court appointed pauper attorney in the murder case against Drollinger. When Drollinger appeared before Judge Bruce Bade in Blackford County to complete arraignment, he said he nor his family could afford an attorney. Stanton was appointed to act as counsel with the bill to be paid by Parke County.

Then Stanton filed a request with Judge Dowd that he be paid \$44,000 to defend Drollinger on the murder charges because of his "expertise and current level of income." He stated that would have been the same fee he would have charged the Drollinger family. The request was rejected by Dowd, who indicated Stanton would be paid the normal Parke County pauper attorney fee of \$20 to \$25 an hour. Stanton has been quoted as saying he would withdraw from the case if the fee was not, in his opinion, adequate. He said he certainly would not defend the accused murderer "for as little as \$10,000."

Stanton is also apparently still involved in another case involving Drollinger. In that instance, Drollinger is accused of yet another drug charge and one involving violation of the Indiana Firearms Act. Judge Dowd is also the special judge in that case, but Stanton has requested the trial be moved from Montgomery County because of publicity about Drollinger which would prevent him from getting a fair and impartial trial. As of today (Wednesday) Judge Dowd had not ruled on the request although he is expected to grant it. When that happens, a list of seven courts will be presented to Stanton and the Montgomery County prosecutor for striking purposes. Once a new court is chosen, Judge Dowd will bow out of the case. That trial was originally scheduled for July 18 in Montgomery County.

March 4, 1919 it was stricken from the records to be recommissioned following major repairs. On October 19, 1919 it was stricken from the record completely.

But that wasn't the end to the story of the Goodrich blimp. On December 16, 1919 the Navy Department logged the blimp back into the record books as serving in the Great Lakes "for instruction." But there are no further entries explaining what became of it. Perhaps it is still there - mistaken all these years as a Goodyear blimp instead of the one owned by "the other guys."

That's "30".

Judge Turns Thumbs Down On \$44,000 Fee

Blackville, Ind 6/3/77 Crimes + Crimnals, Ind.

Parke Circuit Court Judge Earl Dowd has denied a request by Nile Stanton of Indianapolis that he be paid \$44,000 in fees to defend Roger Drollinger on four counts of first degree murder in the Hollandsburg murder case.

Judge Dowd denied the motion

Thursday afternoon, June 10, without any comment.

Stanton was appointed pauper attorney for Drollinger on May 26 by Judge Bruce Bade of Blackford Circuit Court in Hartford City where the case had been venued from Parke County. Drollinger said he could not afford to hire an attorney nor could his family.

Stanton asked the court for \$25,000 for himself, \$15,000 for co-counsel, \$3,000 for private detectives, and \$1,000 for "out-of-pocket" expenses. Of that, he asked advance payment of \$15,000 for himself, \$8,000 for co-counsel and \$3,000 for detectives.

The normal fee paid to pauper attorneys in Parke County is \$20 to \$25 an hour. Even though the trial will be in Hartford City, Judge Dowd sets pauper attorney fees because Parke County will pay the cost of defending Drollinger.

Stanton, in his request, said the \$44,000 was justified because of the time involved, his expertise and background and present level of income. Saying the fees were fair and reasonable, Stanton said the same figure was what he quoted the Drollinger family.

In a newspaper interview last week in the Daily Clintonian, Stanton said it is "pretty easy" to justify the request. "It's this simple," the Indianapolis attorney said, "I know what my time is worth."

Stanton has indicated he would possibly be willing to defend Drollinger for a lesser amount, but would not defend the suspect "for a figure as low as \$10,000." He added, "It depends on how much the court allows. If the amount is fairly close (to the \$44,000) I may go ahead."

Stanton said if he is not satisfied with what Judge Dowd approves as a fee he will ask the Blackford Circuit Court to allow him to withdraw from the case.

Stanton has defended Drollinger in several trials in the past, including a firearms violation charge, a statutory rape charge against a 13-year-old who later became his wife, six counts of drug violations for which he received 15 years maximum imprisonment and an assault and battery charge. Drollinger is now in the Indiana State Prison at Michigan City on those drug charges.

If Judge Bade allows Stanton to drop Drollinger's case, a new pauper attorney will have to be named. That decision, if necessary, will be made by Judge Bade.

All four defendants in the case - Drollinger, David Smith, Michael Wright, and Daniel Stonebraker - have court appointed attorneys since they all claim they can not afford to hire their own legal counsel. Smith is defended by John Capper of Crawfordsville, Wright by Stephen Trueblood of Terre Haute and Stonebraker by Donald Gibson of Veedersburg.

Parke County will pay the entire court costs of all four trials, including the lawyers of the murder suspects. Estimates have been given that the total cost might be as high as \$100,000.

Although the defense is paid hourly rates for their work, Parke County prosecutor Clelland Hanner and his staff receive only their regular annual salaries from the county. Members of the staff also are engaged in private law practice which will "take a back seat" during the course of the trials, located in four separate counties, and which are expected to possibly last two weeks each.

Community Affairs File

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Cost Of Four Murder Trials Not Normal Budget Item

When Parke County sits down to make out a budget this year, one unique expense is going to have to be considered - the cost of trying the suspects in the Hollandsburg murder case.

Four Montgomery County men are charged in that case. Roger Drollinger, 24, Waynetown; Daniel Stonebraker, 20, Darlington; David Smith, 17, Wingate; and Michael Wright, 21, Crawfordsville. All face four counts each of first degree murder in the execution style slaying of Ralph, Reeve, and Raymond Spencer and their stepbrother, Greg Brooks, near Hollandsburg last February.

Although all four trials have been venued out of the county, Parke County still pays all the bills. Drollinger will be tried in Blackford County, Smith in Jasper County and Wright in Daviess County. Stonebraker's trial site is expected to be selected by this Friday. The major expenses involved in those proceedings are the actual cost of the trials and the fees of the attorneys defending the four men.

All four now have court appointed pauper attorneys since all have said they could not afford counsel and, under the law, all must be represented in court by an attorney. Smith is being defended by John Capper of Crawfordsville. Stonebraker's lawyer is Don Gibson of Veedersburg and Wright is represented by Stephen Trueblood of Terre Haute. At the moment, Nile Stanton of Indianapolis is defending Drollinger, but he has indicated he may try to withdraw from the case if he does not get a fee he

considers adequate. Attorneys are normally paid \$20 to \$25 an hour, but Stanton asked for \$44,000.

According to Parke County auditor Frankalene Cramer, there are three possible ways to

pay the high court costs expected to be the result of the trials. There have been estimates by some that they could total \$100,000.

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Community Affairs File

For Montgomery County drug charges

Drollinger gets 49 years

Crime & Criminals Ind
Roger C. Drollinger, 24, Waynetown, was sentenced to 49 years' imprisonment Monday on drug charges in Montgomery Circuit Court.

Drollinger, one of four suspects in the Feb. 14 Hollandsburg murders, will spend a maximum of 15 years in prison on the concurrently running drug sentences.

Special Judge Earl Dowd handed down the sentence in the Montgomery County courtroom several hours after granting a change of venue motion for Drollinger in Parke Circuit Court where he is charged with unrelated first degree murder charges.

A Montgomery County jury convicted Drollinger on the six drug charges in February and recommended the sentence Judge Dowd handed down.

Drollinger was convicted on two counts each of delivery of a controlled substance schedule III (phendimetiazine) and delivery of a controlled substance schedule II (methamphetamine). Two counts of delivery of marijuana were also among the convictions.

He received two 18-day sentences and was fined \$100 in the marijuana charges.

Drollinger was sentenced a total of 48 years and fined \$2,800 on the other four charges.

It is expected Drollinger will appeal the sentences.

Drollinger failed to appear for sentencing in the drug case March 2 after leaving the area. His attorney, Niles Stanton, Indianapolis, said Drollinger jumped bond after being informed of a parole revocation hearing scheduled for a time his attorneys could not be present.

The drug offender said he was unaware of the murder charges against him when he left his home. He learned of the murder warrant about seven days after he left his home, Drollinger told newsmen.

Montgomery County Prosecutor Harry A. Siamas said Drollinger was known to be one of the largest drug dealers in western Indiana last year, according to state police information. Daniel R. Stonebraker, 20, Darlington, another murder suspect, was a member of Drollinger's organized drug operation, Siamas reported.

Drollinger was to be sent to Indiana Diagnostic Center, Plainfield, today where he will be examined prior to serving his 15-year penalty.

Daily Clintonian 4-19-77
Judge Dowd denied a motion by Stanton requesting his client be held in Clay County Jail pending action on the murder charges.

Drollinger had been held at the Brazil facility after appearing before Judge Dowd in Parke County for initial arraignment proceedings on the murder charges.

Stonebraker and David W. Smith, 17, Wingate, are awaiting completion of formal arraignment in Parke County Jail. Smith was appointed pauper attorney John Capper, Crawfordsville. Stonebraker has been undergoing psychiatric examinations after Judge Dowd granted the request submitted by the defendant's attorney Donald Gibson, Veedersburg.

Fourth suspect Michael W. Wright, 21, Crawfordsville, was granted a change of venue motion Monday by Judge Dowd. Trial site will be selected within 10 days by an elimination process between his attorney, Stephen Trueblood, Terre Haute, and Parke County Prosecutor Clelland Hannerr. Each will alternately cross off a county from the seven-county list chosen by Judge Dowd until the trial site remains.

Wright is also being held in Parke County Jail.

REFERENCE
DO NOT CIRCULATE

Stonebraker's Trial To Be At Decatur Co.

Crimes + Criminals, Ind. Lucksville, Ind 6/20/77

Twenty-year-old Daniel Stonebraker, the first of the four Hollandsburg murder suspects to be captured, was the last to have a trial court named. That court was picked Friday, June 17, as defense and prosecution attorneys alternately struck courts from a list of seven provided by Parke Circuit Court Judge Earl Dowd.

The court which remained after the elimination process was Decatur Circuit Court at Greensburg. There Stonebraker will face 35-year-old Judge John Westhafer.

Don Gibson of Veedersburg, court appointed pauper attorney for Stonebraker, and Parke County Prosecutor Clelland Hanner chose the court on the last day of Judge Dowd's deadline. The defense first struck Benton Circuit Court at Fowler. It was in this court that Donald "Chet" Norton received a death sentence for the murder-for-hire slaying of his wife and child in Rockville last January. Gibson was at that trial each day in the capacity as lawyer for Norton's self-confessed accomplice, Ben Woody of Montezuma.

Next, the prosecution struck Whitley County (Columbia City), the defense eliminated Newton County (Kentland), the prosecution dropped Harrison County (Corydon), the defense struck Rush County (Rushville) and the prosecution eliminated Dearborn County (Lawrenceburg).

The selection of Decatur County for Stonebraker's trial puts the courtroom scenes of the four defendants at four different compass points in the state. David Smith, 17, will be tried in the northern part of the state - at Jasper Circuit Court in Rensselaer. The trial of Michael Wright, 21, will be south - at Daviess Circuit Court in Washington. Roger Drollinger, 24, will be tried in the northeastern part of the state - at Blackford Circuit Court in Hartford City. Stonebraker's trial site in Decatur County lies southeast of Parke County. All four face four counts each of first degree murder in the slayings of Ralph, Reeve and Raymond Spencer and Greg Brooks.

Decatur Circuit Court is familiar to the Parke County prosecution staff. It was there that the trial of "Chet" Norton was originally scheduled. At that time Judge John W. Goddard was on the bench. In a completely unexpected move in May of 1976, Judge Goddard dismissed the murder indictment against Norton. Norton was scheduled for trial on June 7 and had been in the Decatur County jail since the previous March.

The judge ordered Norton held without bond and sent back to Parke County for further action. The Parke County prosecutor's staff was then forced to refile the murder charges and the legal process began all over again. In the second round, Benton Circuit Court was picked as a trial site.

Judge Goddard was defeated in a re-election bid in the 1976 May primary balloting after holding the circuit court post for nearly 30 years by Westhafer. Both were

Republicans.

Stonebraker will continue to be held in the Parke County jail until his trial begins in Greensburg. Also still confined to the local lockup is Wright and Smith. Drollinger is at the Indiana State Prison at Michigan City serving a maximum 15 year sentence for drug dealing.

So far, nearly three months after their arrests, Drollinger is the only one of the four suspects to enter a guilty or not guilty plea. The pleading must be entered for the defendants to complete the arraignment procedure that started in Parke Circuit Court at the time of their arrests.

Drollinger's trial is now scheduled for August 30, but that date may be delayed if his present court-appointed attorney withdraws from the case. The lawyer, Nile Stanton of Indianapolis, is unhappy over the fee which a pauper attorney receives from Parke County. If Stanton does quit the case, a new attorney for Drollinger will have to be chosen by Judge Bruce Bade of Blackford Circuit Court. That situation would probably bring about a delay while the new attorney

✓ Stonebraker Y

(Continued From Page One)
familiarized himself with the case.

Smith has a tentative trial date set - October 4. The date was given by Judge Michael Kane of Jasper Circuit Court in an unusual move. Normally trial dates are not set until the defendant enters a guilty or not guilty plea.

Stonebraker is also facing another trial, for a series of drug charges. That trial was venued from Montgomery County to Carrol Circuit Court at Delphi and is scheduled for July 5. Edgar Husted is Stonebraker's court appointed attorney in the drug case.

Community Affairs File

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Police Hoping For Bit Of Luck To

Crime + Criminals (Ind)

S. JUN 8 1978

Solve Murders

INDIANAPOLIS (UPI) — A bit of luck helped police solve the Hollandsburg murders, and state police are hoping to find a new streak of good fortune as they search for other killers.

State police have an "open book" on a number of unsolved cases, including the much-publicized murder-rape of Indiana University coed Ann Harmeier, the strangulation of former beauty pageant contestant Mary Beth Grismore and the lovers' lane slaying of Purdue University coed Kristine K. Kozik.

"We haven't given up and we don't intend to," said Capt. Robert Allen of the state police. "But the fact is some murders are never solved."

Allen said police are hoping for "that lucky break" they may need to solve these and other homicides.

They fell into some luck in the Hollandsburg case, eventually arresting and gaining convictions of four men for

the February 1977 shotgun slayings of four young brothers in a rural Parke County mobile home.

The break came when one of the killers described the slayings to some acquaintances, who passed the information along to police. Presumably, he related details only someone present during the slayings would have known.

Ann Harmeier, 20, vanished while driving to Indiana University from her Cambridge City home last Sept. 12. Her stalled car was found abandoned along Indiana 37 near Martinsville, prompting a massive search by police and residents of her hometown.

Cambridge City residents even posted a reward fund for information about her whereabouts.

Her body was found a month later in a Morgan County cornfield a few miles from her car.

Later, the reward money was offered to anyone with information about her killer, but so far the cash has gone

unclaimed.

Kristine Kozik, a 19-year-old Purdue University coed from Downer's Grove, Ill., was last seen alive May 6, 1977, leaving a Lafayette tavern. Her body was found more than a month later along a county road south of Lafayette.

Two persons seen leaving with her passed lie detector tests, eliminating the only two major suspects police had.

Mary Beth "Pixie" Grismore, 26, a former beauty contest participant in Iowa, vanished Feb. 22 from her western Indiana home in Marshall. She had been divorced from one husband and had married another, and was preparing to move back to Iowa when she disappeared.

Her decomposed body was found May 3 in the trunk of a car parked in a suburb of Columbus, Ohio. She had been strangled with a piece of rope still tied around her neck.

Another well-publicized but unsolved murder is that of 23-year-old Indianapolis school teacher Lynda Daniel. Her

mostly nude body was found half submerged in the bathtub of her apartment.

Authorities were puzzled by the absence of any sign of forced entry, suggesting Miss Daniel knew and admitted her killer to the apartment. But questioning of friends has led police to the proverbial dead-end.

Police also have problems determining who is not a killer.

Allen said innocent people, many with mental disorders, will confess to crimes they did not commit, perhaps in an effort to gain notoriety.

"A man recently walked into a police station in North Carolina and said he had shot and killed a man four or five years ago in Indiana," Allen said.

"He said the murder was 'somewhere within 50 miles of Indianapolis,'" Allen said. "We researched our files but couldn't find a crime to fit his confession. There just wasn't anything."

REFERENCE
DO NOT CIRCULATE

Community Affairs File

Vigo County Public Library

First Degree Murder Conviction Of David Smith Is Upheld By Indiana Supreme Court

The Indiana Supreme Court has upheld the first degree murder convictions of David W. Smith in the shotgun murders in 1977 of four young men of the Keith Spencer family, now known as the Hollandsburg murders.

The high court's action came Wednesday, May 27. Last year the court also upheld the conviction of Roger Drollinger, reputed to be the ringleader of the four Montgomery County men who stormed into the Spencer's double-wide mobile home on February 14, 1977. Others in the group were Michael Wright and Daniel Stonebraker. Both Wright and Stonebraker testified against Drollinger and Smith.

After terrorizing the four boys and Mrs. Keith Spencer, the five members of the family were forced to lie on the floor in the dark and the killers shot them with shotguns. Mrs. Spencer escaped death by pretending to be dead after one shot knocked her wig off.

Killed were 17-year-old Raymond Spencer, 16-year-old Reeve Spencer, 14-year-old Ralph Spencer and Mrs. Spencer's son by a previous marriage, 22-year-old Gregory Brooks.

Smith, 17 at the time of the murders, is 21 now. Originally from Wingate, he was tried and convicted in Jasper Circuit Court in October of 1977. He was sentenced to four life terms in prison by Judge Michael S. Kanne, to be served concurrently.

In his appeal, Smith contended that he did not receive a fair trial on five grounds. Those were because of an attempted reference to Truman Capote's book "In Cold Blood" by the prosecution, because the deputy prosecutor in Montgomery County was not allowed to testify as to Drollinger's influence over Smith, because of the introduction of photographs of the victims, that Wright was not a proper witness, and that the court's instructions to the jury concerning Smith's claim of insanity at the time of the murders was not proper.

In his appeal, Smith claimed a reference to Capote's book constituted prosecutorial misconduct sufficient to cause a mistrial. The book details the mass slayings of

a Kansas family. The reference came during prosecution summation to the jury and involved E. Duane Daugherty, deputy prosecutor of Jasper County who was assisting the Parke County Prosecutor's Office.

Daugherty opened by saying "As we look at this horrendous crime we must think of how this could have happened. Those who read 'In Cold Blood'..." and that was as far as he got.

Both defense attorneys leaped to their feet with a chorus of objections. Judge Kanne sustained the defense objection to reference to the book but overruled their motion for an immediate mistrial.

The book had also been brought up in the Drollinger trial. Drollinger denied ever reading the book, but according to reliable reports, he had it with him once during a stay at the Montgomery County jail and had underlined passages, including how it felt to kill someone.

In writing the unanimous Supreme Court opinion, Justice Alfred Pivarnick said that the reference to Capote's book in the trial was so partial and went uncompleted because of an objection from defense council, upheld by Judge Kanne, that it did not prejudice Smith's case.

The justice added "Because the prosecutor did not complete the challenged statement or make further reference to the book, this incident could not have had any sort of persuasive effect on the jury's decision. In the face of overwhelming direct evidence of Smith's guilt, we do not believe this incident placed him in a position of grave peril to which he should not have been subjected."

Smith also claimed that he was under the psychological influence of Drollinger and that his defense was hurt because the judge refused to allow Montgomery County Deputy Prosecutor Donald Hopper to testify about Drollinger's influence over young people.

But the Supreme Court said that Hopper was properly excluded from testifying since "There has been no showing that Hopper knew Drollinger personally or had ever talked to him." Justice Pivarnick wrote that the defense did not prove that Hopper was trained in psychology to be qualified to give an opinion on whether someone could control another person's actions. "It is therefore difficult," said the court, "to see how Hopper could have, under the facts of this case, formulated a meaningful and admissible opinion concerning Drollinger's possible influences over young people."

During the Smith trial, the prosecution presented 38 color photographs of the victims. The defense objected, saying they were repetitious. After nearly an hour's argument at the bench, the judge allowed 24 of the photographs to be entered into evidence.

In his appeal, Smith also used the argument that the photographs were repetitious and "gruesome in character." However Indiana's high court ruled that "The entire series of photographs depicted different aspects of the case. They were not repetitious or cumulative."

In regards to the objection that Wright was not a proper witness for the trial, the court quoted from its earlier decision upholding Drollinger's conviction, who had also claimed the same thing.

The justices also ruled that the trial court acted properly in its instructions to the jury on Smith's defense position that he was insane at the time of the murders. The trial judge took 25 minutes to instruct the jury on possible verdicts they could enter.

Smith was the youngest of the Hollandsburg murderers and labeled "the number two man" by the prosecution. Smith fled to Florida with Drollinger where the pair successfully evaded police for days. He was arrested in Lexington, Kentucky.

Smith had become separated from Drollinger enroute back north and was discovered by two railroad employees in Lexington in the railyards. Smith told them he was absent without leave from the service and was trying to get back to Indiana. The men took him to their motel room, but became suspicious and called police.

Smith refused to return voluntarily to Indiana but was turned over to Indiana officers after Kentucky Governor Julian Carroll approved a formal request for extradition from then Indiana Governor Otis Bowen.

Smith's trial in Rensselaer lasted nine days and the jury took about two and one half hours to find him guilty of first degree murder.

Judge Kanne sentenced Smith on October 27 of 1977. In reading the sentence the judge commented: "Because of your age and sympathetic appearance, and the incomprehensibility of these murders, there is a tendency to push to the background the awful fate of the four innocent boys who were the victims of your acts. However your demeanor in this courtroom bears no resemblance to what the evidence disclosed were your actions in the darkness of early morning hours of February 14, 1977."

And said the judge, "You participated in a cold, calculated assassination of four boys - for fun."

David Smith loses appeal

Hollandsburg term upheld

Crime + Criminals (Ind)

T MAY 28 1981

INDIANAPOLIS (AP) — A bid by David W. Smith to overturn his conviction in the deaths of four Hollandsburg brothers has been rejected by the Indiana Supreme Court.

Smith, of Wingate, was one of four persons charged in the 1977 slayings.

He was convicted in Jasper Circuit Court in October 1977. Judge Michael

S. Kanne sentenced him to four life terms in prison to be served concurrently.

Smith was charged with Roger Drollinger, Michael Wright and Daniel Stonebraker with the Feb. 14, 1977, shotgun deaths of Gregory Brooks and his three stepbrothers, Ralph, Reeve and Raymond Spencer.

Drollinger was tried and convicted in the deaths and sentenced to four life terms. Wright and Stonebraker pleaded guilty to reduced charges and were each sentenced to one life term in prison.

One of the elements of Smith's defense was that he was under the psychological influence of Drollinger, identified as the ringleader. On appeal, Smith argued his defense was hurt by the judge's refusal to allow Montgomery County Deputy Prosecutor Donald Hopper to testify about Drollinger's influence over young people.

The Supreme Court, in an opinion written by Justice Alfred J. Pivarnik, said Hopper was properly excluded from testifying.

"There has been no showing that Hopper knew Drollinger personally or had ever talked with him," Pivarnik wrote.

Later, the Supreme Court added that Smith didn't prove Hopper was trained in psychology to be qualified to give an opinion on whether someone could control another person's actions.

"It is therefore difficult to see how Hopper could have, under the facts of this case, formulated a meaningful and admissible opinion concerning Drollinger's possible influences over young people," Pivarnik said.

Smith also argued that autopsy photographs of the victims shouldn't have been admitted as evidence because they were "repetitious and gruesome in character." The Supreme Court said the photographs were properly admitted to show the crime scene and to help illustrate the pathologist's testimony.

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

State Supreme Court upholds murder conviction in Hollandsburg slayings

Crime & Criminals (Ind.)
Indpls. Star 5/28/81

The Indiana Supreme Court Wednesday upheld the first-degree murder conviction of David W. Smith in the slayings of four members of a Hollandsburg family in Parke County.

Smith, now 22, was among four men who either were convicted or pleaded guilty to the February 1977 murders.

A jury in Jasper Circuit Court found him guilty of invading a Hollandsburg mobile home and committing the execution-style slayings of Gregory Brooks, 22, and brothers Ralph Spencer, 14, Reeve Spencer, 16, and Raymond Spencer, 17.

THAT DECISION was reached in Oc-

tober 1977. The state's high court unanimously rejected the five grounds upon which Smith based his appeal.

Smith of Wingate, Ind., and Roger C. Drollinger of near Waynetown, were the two men convicted of the multiple murders. The other two charged were Daniel R. Stonebraker and Michael Wright, who pleaded guilty to reduced charges.

The Supreme Court recently upheld Drollinger's conviction.

The high court found that testimony was restricted properly by the Jasper Circuit Court in Smith's case.

THE TESTIMONY IN question was that of Donald Hopper, chief deputy prosecutor in Montgomery County. It was aimed at trying to establish that Smith, now 22, was under "the psychological influence of Roger Drollinger."

Hopper had testified he was familiar with Drollinger through various reports and participation in criminal prosecutions against Drollinger.

The Supreme Court ruled, however, that there was no evidence Hopper knew

or talked to Drollinger. Also, the justices said there was no evidence Hopper was trained "in any behavioral science to thereby be qualified to render an opinion on so general a topic as one's psychological influences over other people."

THE HIGH COURT said the trial court acted properly in its instruction to the jury on Smith's defense position of insanity at the time of the murders. Further, the high court said it was proper for Wright to be allowed to testify against Smith, for photographs of the four victims to be allowed as evidence, for denying a mistrial because of some com-

ments made by prosecutors in the case.

In its opinion written by Justice Alfred J. Pivarnik, the Supreme Court noted that two of Smith's companions, Stonebraker and Wright, identified Smith as a participant in the murders. The opinion also pointed out that the only surviving victim of the shootings, Betty Spencer, identified Smith as one of the four killers.

Mrs. Spencer is the mother of Gregory Brooks and stepmother of the other three victims. She pretended to have been killed when the other slayings occurred and later managed to reach a neighbor's home, where she reported the mass murder.

The Indianapolis Star

THURSDAY, MAY 28, 1981

Life/Style — Editorials — TV

PAGE 17

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Crime & Criminals (Ind.)

Roger Drollinger drug appeal denied

T SEP 6 1980

INDIANAPOLIS (UPI) — The Indiana Supreme Court Friday handed down three major rulings involving one of the Hollandsburg murder defendants, an attempt to kill a newspaper reporter and a finding that prison inmates have no constitutionally protected right to judicial review of disciplinary actions against them.

— Roger Drollinger's conviction on drug charges growing out of an investigation that preceded his participation in the murders of four young brothers at Hollandsburg on Valentine's Day, 1977 was upheld.

Drollinger now is serving a life term for these killings but at his request, the Indiana public defender's office appealed the conviction in Montgomery Circuit Court on six charges of delivery of marijuana, methamphetamine and phenidimetrazine and phentermine.

Drollinger was given six sentences to be served concurrently, the longest of which was 15 years on these drug charges. Undercover state police officers testified the deliveries were made to them in March and July of 1976.

Drollinger challenged references to previous charges against him, but the Supreme Court concluded Drollinger had raised the matter of these charges and "the trial court did not abuse its discretion in allowing this cross-examination."

"Drollinger's defense was based upon his claim that Swenke (Crawfordsville police officer Louis Swenke) had, by duress, coercion and harassment, entrapped him into dealing in drugs," Justice Alfred Pivarnik wrote.

"His testimony that Swenke had signed all the probable cause affidavits against him was calculated to persuade the jury that, as Drollinger claimed, Swenke had been harassing him for several years. The prosecution was merely refuting this theory on cross-examination by challenging Drollinger's assertion."

The Supreme Court also upheld the trial court's ruling allowing James McGivney, a narcotics agent, to testify. "Drollinger's defense was that Crawfordsville police officer Louis Swenke had threatened and harassed him and thereby entrapped him into making the drug deals in

question here," the Supreme Court opinion states.

"He also claimed Swenke was his supplier and the head of all drug traffic in Montgomery County," the opinion states. The trial court properly allowed McGivney to give this rebuttal testimony."

McGivney, on rebuttal, testified Drollinger had not made such a charge against Swenke to him, as Drollinger had claimed he did.

— The conviction of Diane Kendrick Williams, Gary, on a charge of conspiracy to commit murder also was upheld. She and her husband, Dr. Carl N. Williams, both were convicted on charges they tried to arrange the murder of Alan Doyle, then a reporter for the Gary Post-Tribune.

Williams was given a 30-year prison term and his wife a 20-year term after their conviction in Lake Superior Court and the trial court then suspended all but five years on each of their sentences. Only Mrs. Williams appealed her conviction, claiming insufficient evidence.

The evidence included testimony by Hammond police officer James Lawson, who in 1978 was working as an undercover agent for the Drug Enforcement Administration branch of the U. S. Department of Justice.

Lawson testified the both Dr. and Mrs. Williams became very angry over articles written by Doyle about Williams and asked him to arrange Doyle's murder, and that Mrs. Williams volunteered to obtain the information about where Doyle worked and the kind of car he drove.

Mrs. Williams was not present when her husband paid another undercover policeman \$500 to perform the killing but the Supreme Court concluded "there was substantial evidence from which the jury could have found beyond a reasonable doubt that Diane Williams had the intent to kill Alan Doyle..."

The Supreme Court also ruled there is no "constitutionally protected right" to a judicial review of the decisions by prison officials concerning disciplinary action against inmates involved in fights or otherwise breaking institutional rules.

Hollandsburg

Ex-official says killer *Crime and Criminals* deserves *(In)* *3/2/88* clemency *Holland Star*

Indianapolis Star
By DAVID J. REMONDINI

STAR STAFF WRITER

A former deputy prosecutor who once tried Hollandsburg killer Daniel Stonebraker on theft and narcotics charges argued Tuesday that Stonebraker should be freed from prison.

Conceding he is "skeptical of jailhouse Christianity," Donald R. Hopper told *The Indianapolis Star* he believes Stonebraker's religious convictions are sincere.

Stonebraker, David Smith, Roger Drollinger and Michael Wright were convicted in 1977 of the St. Valentine's Day murders that year of Gregory Brooks and his stepbrothers, Ralph, Reeve and Raymond Spencer, in their Hollandsburg home.

Betty Jane Spencer, who was Brooks' mother and stepmother of the other boys, was shot and left for dead, but survived.

The four killers are each serving four consecutive life terms in prison.

None of the four is eligible for parole, but could receive clemency from the governor. The Indiana Parole Board heard testimony Tuesday on requests by Stonebraker and Smith for clemency.

Hopper, one of several wit-

See KILLER Page 3

Columnist John Shaughnessy has the day off.

Vigo County Public Library

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Hollandsburg

Daniel Stonebraker, David Smith Will Seek Clemency At Hearings

Crime and Criminals (Civ) - Hollandsburg

Parke Co Sentinel 2/15/88

Daniel Stonebraker and David Smith, two of the four men convicted in the 1977 Hollandsburg murders, will appear before the State Parole Board next month seeking clemency. Stonebraker is serving two life terms and two 15-to-25 year terms for first and second degree murder and Smith is serving four life terms for his role in the slayings.

They will appear before the board at the Indiana State Reformatory at Pendleton March 24 or 25.



**DANIEL STONEBRAKER
AT 1984 HEARING**

The granting of clemency does not result in the release of the offender. Clemency, if granted, only allows the offender to be considered by the parole board for a possible parole at some future date. Offenders serving two or more life terms cannot be considered for parole without clemency

being granted.

While parole cases are decided solely by the parole board, clemency cases are decided by the governor following the submission of a non-binding advisory recommendation by the parole board to grant or deny the request for clemency. In making that recommendation, the parole board considers the nature and circumstances of the offense, the offender's past criminal history, his conduct in prison, and the "best interests of society."

In 1983, Stonebraker asked for "post conviction relief," that the court set aside his conviction and give him a new trial. He contended then that he was denied "due process of law and treated with fundamental unfairness." He claimed he was not fully advised of his rights, that his guilty plea was "unintelligently, unknowingly and involuntarily entered," and he was not advised of the statutory maximum or minimum sentences allowed by law.

Sentenced in 1977 in Decatur Circuit Court, he was the first of the four murderers of four young men of the Keith Spencer family to be apprehended by police. He not only confessed to the February 14th shotgun slayings of the four, but implicated the other three, Smith, Michael Wright and Roger Drollinger. He and Wright testified against Drollinger and Smith at their trials.

At his sentencing, after accepting a plea bargain

agreement, Judge John A. Weshafer said if he thought that the death penalty was constitutional he would not have accepted the plea agreement. At the time of the trials of the four men, it was thought that Indiana's death penalty statute was unconstitutional.



**DAVID SMITH
AT 1977 TRIAL**

Unlike the other three defendants, Smith has not made preliminary legal movements to be released from prison until this recent request for clemency.

At 18-years-old, Smith was the youngest of the four convicted Hollandsburg killers and his youthful appearance at his trial in Jasper Circuit Court at Rensselaer was a concern for the Parke County prosecuting staff. Although Smith sometimes cried during his

trial, Parke County Prosecutor Clelland Hanner named him as Roger Drollinger's "right-hand man" and said of the night of the murders, "Stonebraker wanted out, Wright wasn't sure, but this young man never reneged."

Smith also was pointed out as the one who walked down the line of prostrate people and asked their ages moments before they were killed. He also was the first inside the Spencer house that night, carrying a sawed-off shotgun.

Smith was the third of the four to be captured, having left the state with Drollinger where the two eluded a statewide manhunt in Florida. Smith was 17-years-old at the time of the killings and was arrested in Lexington, Kentucky, in March of 1977, at a motel where he had been taken by two railroad employees from which he had sought help. He refused to return to Indiana voluntarily and was extradited by orders of the governor of Kentucky at the request of Indiana Governor Otis Bowen.

Smith also was the only one of the four to give no testimony in the Hollandsburg trials and did not speak on his behalf at his trial.

In sentencing Smith, Judge Michael Kane said, "This was not a crime of passion or one arising out of greed or revenge or some political cause. It was, as the evidence disclosed, 'just something to do'." Judge Kane added, "Your demeanor in this courtroom bears no

resemblance to what the evidence disclosed were your actions in the darkness of the early morning hours of February 14, 1977. You participated in a cold, calculated assassination of four boys - for 'fun'." Giving Smith four life prison terms, Judge Kane said, "Your actions show a complete and total lack of human feeling - an absence of the minimal requirements necessary for association with other human beings."

According to trial testimony, Stonebraker, Wright, Drollinger and Smith, all from Montgomery County, burst into the Spencer home near Hollandsburg in the early morning hours of Valentine's Day of 1977. Before they left, they had fired shotguns into the bodies of Reeve Spencer, Ralph Spencer, Raymond Spencer and Gregory Brooks as they lay prostrate on the living room floor. Mrs. Spencer was also shot, but when her wig flew off, the murderers thought her head had been blown off and she was left for dead, but she survived to testify against them.

Wright received the same sentence as Stonebraker, while Drollinger and Smith were sentenced to four life terms.

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

nesses who argued for Stonebraker's release, was a Montgomery County deputy prosecutor from 1975-77. He was prosecuting Drollinger on a narcotics charge when the murders occurred over the weekend of the two-week trial.

He later obtained a guilty plea from Stonebraker on related charges and said he was already familiar with Stonebraker because of previous clashes with the law.

"Over the last eight years, I have visited Dan on a very regular basis and we have become very good friends. It is probably

one of the most dramatic of a change I'd ever seen," remarked Hopper, who now works for an interdenominational religious organization in Indianapolis.

Hopper, who has become involved in prison ministries because of Stonebraker, said he would continue to argue for Stonebraker's release.

"I'm willing to stand beside him even though I once prosecuted him," said Hopper.

Three family members also testified for Smith's release. Fifteen witnesses argued against releasing either man.

Included in the evidence was a videotape from Mrs. Spencer, who now lives in Florida. Since the murders, Mrs. Spencer has become a nationally known advocate of victims' rights. She

was testifying at a White House Conference for a Drug Free America Tuesday and sent the tape instead.

Board Chairman Lewis J. Gregory said the videotape was available for viewing. Board members had watched it earlier.

"Her description of the night of the crime would have great impact on anyone. I know it did on me. . . . It is a very emotional statement. It had tremendous impact," Gregory said.

Stonebraker, who appeared before the parole board last year for the first time, and Smith will be interviewed by the board late this month at the Indiana Reformatory in Pendleton.

The board can only recommend clemency, and only the governor can grant it.

Hollandsburg

1 of 4 mass murderers seeks clemency from life sentences

By DAVID J. REMONDINI

STAR STAFF WRITER

Indiana State Trooper Charles L. Bollinger often ponders how fate kept him from being murdered along with the his teen-age friend Reeve Spencer, who died along with his two brothers and a stepbrother on St. Valentine's Day 10 years ago.

"I went back to Terre Haute because of the weather. Mrs. Spencer told me there was supposed to be a bad storm and I might not make it back if I didn't leave then. If I hadn't gone home, I might have been killed that night," Bollinger said Tuesday after an Indiana parole board hearing for one of the killers.

"A lot of times I just think about how close it was. I don't

know how lucky I was to leave. For some reason, it was just wasn't meant to be that I was supposed to be there," said Bollinger after he finished testifying against Daniel Stonebraker's petition for an early release from two life sentences.

Stonebraker is one of four men who fired shotguns into the backs of the Spencer family as they lay helplessly on their living room floor in Hollandsburg. He was described Tuesday as a man who had found the Lord while serving time at the Indiana State Reformatory.

"Daniel Stonebraker's life has changed and he is participating actively in helping other men," said William Mitchell, a volunteer Bible teacher at the Reformatory in Pendleton who

has known Stonebraker for 10 years.

The testimony at the clemency hearing is the first of several steps Stonebraker hopes will lead him out of prison where is serving time for the murders of Gregory Brooks, 22, and his stepbrothers, Raymond Spencer, 17, Reeve Spencer, 16 and Ralph Spencer, 14.

Betty Jane Spencer, who is Gregory's mother and the Spencer boys' stepmother, somehow survived the attack and has become an outspoken advocate of victims' rights.

She told the board Feb. 14, 1977 was the "worst day of my life" but if any of the four murderers are released, "I will guar-

antee you that will be the second worst day of my life.

"These 10 years have been a terribly trying time. I have learned to live with fear, without the boys and learned not to be a mother. There'll never be any parole for us. There'll never be any clemency for us," Mrs. Spencer told the Clemency Board Tuesday as her voice quivered with emotion.

Stonebraker and Michael Wright pleaded guilty to murdering the boys in exchange for two life sentences and their testimony against ringleader Roger Drolinger and his "first lieutenant," David Smith. Both were sentenced to four consecutive life terms.

Elaine Eckhardt, Anderson, who also does prison ministry work at the Reformatory told the board Stonebraker has had a legitimate conversion in prison.

"He is sincere. He is very repentant of what has happened in the past. ... He walks in integrity. His main desire in life is to serve the Lord wherever he is," she said.

Carolyn Spencer, who is the natural mother of Ralph, Reeve and Raymond, told the board she feels Stonebraker can best serve the Lord where he is.

"When I hear today that Daniel Stonebraker is a Christian, I truly hope he is. But my plea is he be left in prison and have a prison ministry. We need prison ministries. Let him be a good Christian there."

The five-member board will give Gov. Robert D. Orr a recommendation on Stonebraker's petition later this month after meeting with Stonebraker at the Reformatory. Clemency Board chairman Lewis J. Gregory said he expected a decision from Orr within three months.

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Community Affairs File

'Parades' pass by 10 years later

Curiosity seekers irk survivor of murders in Hollandsburg

By Ken Kusner
Associated Press

HOLLANDSBURG — Betty Jane Spencer cringes when she thinks of the annual Valentine's Day "parades" that come by her home, the steady stream of gawkers looking for the scene of one of the most senseless and brutal crimes ever committed in Indiana.

On Feb. 14, 1977, her son and three step-sons were systematically executed with 11 shotgun blasts as they lay alongside her on the floor of their mobile home. She survived only because one of the blasts blew off her wig, when the killers thought it actually had blown off her head.

"The parades will start," she said in an interview. "After a while it gets pretty old to have total strangers pulling up in your driveway and taking pictures of your house, like it was some museum."

If her home was a museum, it would commemorate the strength of a woman who has witnessed the murders of her four sons and nearly died herself, and turned her sorrow into compassion for victims of other crimes.

Mrs. Spencer now works in a victims' assistance office in nearby Rockville that's decorated with pictures of her with Gov. Robert D. Orr and former Gov. Otis R. Bowen, now Secretary of Health and Human Services; President Reagan has welcomed her to the White House; and she's been forced to curtail a schedule that once had her flying across the nation to talk to judges, housewives and lawmakers.

"One year I gave 35 speeches all over the United States," she said. "There's nothing more therapeutic than when you're helping others with their problems."

Ten years ago this weekend, though, all people wanted to hear

about were the grisly murders that put Hollandsburg, a small community along a lake in west central Indiana, on the map.

Four men went to prison for the crime. The alleged leader, Roger Drollinger, then 23, is serving four life sentences and was spared the death penalty because it had been ruled unconstitutional a few months before his trial. One of his accomplices, David Smith, then 17, also got four life terms. The two others, Michael Wright, 21, and Daniel Stonebraker, 20, pleaded guilty and both were given two life sentences and one each of 15 and 25 years.

"You are a prime example of why the state needs a death penalty," Blackford Circuit Judge Bruce A. Bade said in sentencing Drollinger, "and you can be assured that if the state did have a death penalty I would not hesitate to use it."

The Indiana General Assembly

approved a new death penalty that went into effect just weeks after Drollinger's trial ended.

According to Mrs. Spencer's testimony at the trial, she was home late on Sunday, Feb. 13, with her son, Gregory Brooks, 22, and two of the step-sons, Reeve, who was 16, and Ralph, 14. Her husband, Keith, had left for work at a television station in Indianapolis, about 60 miles away.

Armed with three shotguns and a handgun, the killers burst in and ordered them to lay onto the floor side by side, she said. When the other step-son, 17-year-old Raymond, arrived home, he too was ordered to lay on the floor.

"I still was hoping they were (just) going to tie us up. But when I heard the guns click, I knew that that was it, they were really going to shoot us," she said last week.

Vigo County Public Library

Community Affairs File
REFERENCE
DO NOT CIRCULATE

recounting the incident.

Eleven shotgun blasts exploded, killing the four boys. Mrs. Spencer, then 44, was struck in the back and the head, but after the killers left she managed to cover the quarter mile to her nearest neighbor's home to summon help.

By coincidence, she had decided not to wash her hair that day and was wearing the wig that saved her life.

"I'm sure that when the wig went, they thought I was dead. I was surprised when I wasn't dead," she said, chuckling, before turning serious again.

"I've been angry many, many times over the last 10 years that I wasn't dead," Mrs. Spencer said. For a long time, she blamed herself for her sons' deaths. "I finally came to grips with the fact that it was all right to be alive."

There was no motive in the slaying. Authorities called it a thrill killing.

Two years after the shooting, she attended an information meeting about a victims' assistance group called Protect The Innocent. She became interested, and within four years had established a Parke County office for the group in her home, the same home where her sons were murdered.

She's lobbied at the Statehouse, where she said she's worked on 50 bills that became laws benefiting crime victims. Then last June she moved the county office into the basement of a church, and is working to establish seven more offices in the area with the help of a federal grant. Grant restrictions forced her to give up lobbying.

She and her husband still observe Valentine's Day, but it has a dual meaning.

"We send each other valentines, and then we think of the boys," she said. "It's not the saddest day of the year. Five days are the saddest: four birthdays and Christmas — the five days the boys should be very happy."

Killer of 4 boys denied clemency by review board

By DAVID J. REMONDINI
STAR STAFF WRITER

Pendleton, Ind. — Daniel Stonebraker told the Indiana Clemency Board Thursday he helped kill four boys 10 years ago because he lacked the courage to stand up to Roger Drollinger.

Drollinger was the reported leader of the "St. Valentine's Day massacre" in 1977, in which four young men were murdered and their mother was left for dead in Hollandsburg.

"I guess one of the things I regret the most is my naiveté and being leadable instead of standing up and doing what was right," Stonebraker told the board at the Indiana State Reformatory, where he had his first interview for an early release from two life sentences and two 15-year sentences.

Despite being impressed with his interview, the five-member board voted unanimously against recommending that Gov. Robert D. Orr grant clemency to the 30-year-old Stonebraker.

Board Chairman Lewis J. Gregory said, "You have to pay the price for the crime, and you have to show you're ready to go

back into society. In my feeling, the price has not been paid."

Stonebraker, Michael Wright, David Smith and Drollinger were convicted of the slayings of Gregory Brooks and Ralph, Raymond and Reeve Spencer inside their mobile home in Hollandsburg. The four killers received multiple life sentences.

Betty Jane Spencer, Brooks' mother and the Spencer boys' stepmother, survived the attack and testified against Drollinger.

Stonebraker pleaded guilty and testified against Drollinger in exchange for the promise that he would not be incarcerated in the same prison.

At a public hearing in Indianapolis in early March, several witnesses testified that Stonebraker had turned to Christianity while serving time for the murders and is actively involved in Christian work.

"Everyone is making a big deal of this because of my Christianity. I'm not even asking to be released. I think it would be unfair."

Stonebraker, who works as a technician for the prison radio station, said, "I want to take every opportunity I have to meet

with you people so you can begin to get to know me as who I am and what my life is about now."

He said he hoped the personal contacts at his annual clemency hearing would give the board a better impression of him than the "paper work," which he conceded "is not a very pretty picture of my life."

Gregory said he was impressed by Stonebraker's "forthright" attitude, which he said contrasted with many prisoners who either cannot remember the crime or deny they committed it.

"I did pull the trigger. They (Drollinger and Smith) were positioned at their feet and Mike (Wright) and I were at the side, and everybody did shoot."

Stonebraker told the board he and the others had been "programmed" by Drollinger to kill a family in a re-enactment of the 1969 Tate-LaBianca murders by the Charles Manson gang in California.

As he and Drollinger drove away from the isolated home in a Thunderbird they stole from one of the young victims, Stonebraker said, "Roger wanted to do another" murder to more closely resemble the double murders committed by the Manson gang.

Community Affairs File

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Parole Board Denies Daniel Stonebraker's Clemency Request

Crime and Criminals (In) - Hollandsburg

Parke Co Sentinel 3/30/87

An appeal for clemency by Daniel Stonebraker was denied Thursday, March 26, by the Indiana Parole Board. Stonebraker is serving two life terms, plus two 15-year sentences, for his part in the 1977 shotgun shootings of four young men of the Keith Spencer family near Hollandsburg. With the two life term sentences, Stonebraker will never be eligible for parole from prison unless he receives clemency from the governor of Indiana.

The granting of clemency does not result in the release of the offender. Clemency, if granted, only allows the offender to be considered by the parole board for possible parole at some future date. Those serving two or more life terms, as is Stonebraker, cannot be considered for parole without clemency being granted by the governor.

While parole cases are decided solely by the parole board, but clemency cases are decided by the governor following the submission of a non-binding advisory recommendation by the parole board to grant or deny the request for clemency.

Last Thursday, the Indiana board voted unanimously, 5-0, against granting clemency to Stonebraker. Said board chair-

man Lewis J. Gregory, "You have to pay the price for the crime and you have to show you're ready to go back into society. In my feeling, that price has not been paid."

Stonebraker, who is now 30-years-old, told the board he lacked the courage to stand up to Roger Drollinger, considered the leader of the four Montgomery County men who forced their way into the Spencer home February 14, 1977. When they left, Ralph, Raymond and Reeve Spencer and Gregory Brooks had been shot point blank with shotguns as they lay on the living room floor. Betty Jane Spencer, who was also shot but miraculously spared when one blast blew off the wig she was wearing and the killers though she had also been killed. Convicted in the murders along with Stonebraker were Drollinger, David Smith, and Michael Wright.

Stonebraker told the state board that he was unable to stand up to Drollinger when the murders were planned, and carried out saying, "I guess one of the things I regret most is my naivete and being leadable instead of standing up and doing what was right." The board's hearing was conducted at the Indiana State Reformatory at Pendleton where Stonebraker is serving

his sentences, as is Wright and Smith. Drollinger is serving four life term sentences at the Indiana State Prison at Michigan City.

Although Stonebraker pleaded guilty to his part in the murders and testified against Drollinger and Smith at their trials, he told the board last week that he had been "programmed" by Drollinger to kill members of the Spencer family in a "re-enactment" of the 1969 Tate-LaBianca killings in California by the Charles Manson "family." Stonebraker told the board that Drollinger wanted to "do another" (murder) to duplicate the Manson killings that night in February.

Stonebraker told the board, "I did pull the trigger. They (Drollinger and Smith) were positioned at their feet and Mike (Wright) and I were at the side, and everybody did shoot."

Stonebraker said Thursday, "I want to take every opportunity I have to meet with you people (of the clemency board) so you can begin to get to know me as who I am and what life is about now." Gregory, the board's chairman, said he was

[See HEARING Page 2]

"impressed" with Stonebraker's forthright attitude which he said contrasted with many prisoners who claim they can't remember the crime or deny they committed it.

Ironically, Stonebraker is working as a technician for the prison radio station. When the four broke into the Spencer household in February of 1977, he and the other three destroyed some equipment which the Spencers had in the home, intended to be used in their Parke County-based radio station - WAXI, which they hoped to set up, and eventually did.

REFERENCE
DO NOT CIRCULATE

Community Affairs File

Vigo County Public Library

Hollandsburg

Smith, Stonebraker seeking clemency

Daily Chintonean 2/16/88

Crime and Criminals (In) - Hollandsburg

Clemency is being sought by two of the four men convicted in the 1977 Hollandsburg murders, David Smith and Daniel Stonebraker.

The granting of clemency is a procedural method of the clemency board serving as a recommending board to the governor. Stonebraker and Smith will appear to the clemency board the third week of March with their appeal. The governor will decide then whether or not to sign the clemency. Our present governor, Robert Orr, requires a six-month work release to be served immediately after granting clemency. The governor can change the recommendations of the clemency board, as well as adding stipulations. After the completed work release, the parole board then makes a decision as to the outcome of the prisoner.

In 1987, the clemency board heard a total of 914 cases and the governor granted four, according to Patricia Ravinet, the vice chairman of the Indiana parole board.

Stonebraker is serving double-life and two 15- to 25-year terms for first and second degree murder and Smith is serving four life terms.

When Smith and Stonebraker appear before the clemency board for appeal they can ask for commutation of their sentences. Commuting one or more to time served (what they have served so far) along with any other stipulations the governor requires. According to Ravinet, most governors, including Indiana's, will not consider more than one sentence at a time.

"I think it would be a terrible miscarriage of justice if they grant clemency," said Betty Jane Spencer, mother of the four murdered boys and victim as well.

Spencer indicated she hoped that all interested persons would send their comments on granting

clemency to Stonebraker and Smith by writing to the Indiana Parole Board, Room 801, State Office Building, 100 North Senate Avenue, Indianapolis, Ind., 46204.

Community Affairs File

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Hollandsburg

Clemency

board denies requests by Smith, Stonebraker

Crime and Criminals (In) - Hollandsburg
by Cindi Marietta Daily Clintonian 3/25/88

Denial of clemency was announced for David Smith and Daniel Stonebraker by the clemency board Thursday after both men entered their pleas.

Smith and Stonebraker were two of four men that committed four murders and attempted to kill a fifth person on Feb. 14, 1977. The other two men convicted to four life sentences each were Roger Drollinger and Michael Wright.

Stonebraker's plea

Daniel Stonebraker approached the clemency board for the second time since his conviction in 1977. Stonebraker is serving two life sentences and two 15-25 year sentences.

"I believe in myself. I'm very confident I will become a law abiding citizen if I'm allowed out of here. I consider my gifts an asset to the community and I will continue to come here and get to know the members of this board and to let you all get to know me," Stonebraker said as he gave his opening remarks to the board.

Stonebraker stated that when he gave his plea last year, he watched the televised comments by Gregory and that Gregory had addressed the idea of Stonebraker's rehabilitation aspect and amount of time served. "I feel the board had some confidence in my rehabilitation aspects, or you wouldn't have stated that," Stonebraker said.

"It is elementary that I do have more time in here and that is for my sake and society's sake," said Stonebraker.

Stonebraker said that he had been involved with Drollinger for about two and one half years prior to the killings on Valentine's Day.

Stonebraker admitted to use of "acid, cocaine, marijuana, hash and all that stuff," he said.

"Prior to any killings, Roger would suggestively talk about getting a drunk in Danville, Ill. coming out of the back of a bar and kill him and steal his money," said Stonebraker.

Raymond Spencer, 17, Reeve Spencer, 15, Ralph Spencer, 14 and their step-brother Greg Brooks, 21, were shot to death in the back of the head with sawed-off shotguns. Lined up on the floor face down in their trailer, along with their mother, Betty Jane Spencer, the boys met their fate.

Betty Jane Spencer was left for dead when the blast blew off her wig and mistaking it for her scalp, the killers left the scene.

She lived to identify the killers and her testimony contributed greatly to their conviction.

"I feel after hearing Roger speak of killing over the years, I became programmed with these facts," Stonebraker said.

"Killing was on his (Drollinger) mind more than drugs. I think he enjoyed it. He said he had killed before. He once killed an animal to show us how easy it was," said Smith on his remarks about Drollinger.

Stonebraker began his story of what happened the night of February 14, 1977. "Drollinger became very organized, matter of fact, military like, get the job done and get out. It was a 'Seek and Secure' order from Roger," Stonebraker said.

"We left that night to go to Danville, Ill. to get handguns. We stopped three or four times with suggestions from Roger to do the killings at the particular house we were in front of. I opposed each time. We got to Crawfordsville and he went in to a motel to see his attorney, Niles Stanton. I knew I should have left then, it was after midnight. I was thinking there was more fun to be had in the evening. When we left, Roger was more determined. He kept making remarks about now was the time," Stonebraker said.

Vigo County Public Library

Community Affairs File

REFERENCE
DO NOT CIRCULATE

As Stonebraker continued to reveal the happenings of that fateful night he spoke with a more clear and louder voice. "We pulled up behind that particular trailer because there were three or four nice cars in front and Roger figured they were owned by three or four wealthy couples," said Stonebraker. couples," said Stonebraker.

"We pulled around the back of the trailer on a gravel road. This is where the police disagree with me and say there is no gravel road there. I know there was a gravel road there. Roger leaned over with his arm across the back of my seat and said 'Let's shoot or be shot.' This gained favor with the others, but I just shook my head no. I reached for my bandana that I had used in the robberies and Roger said 'You won't need it for this one,'", said Stonebraker.

"I didn't have the courage to stand up against him because the drugs broke my morals," confessed Stonebraker.

"We were in the trailer for 30 minutes before the shooting. We rampaged the place, busted the windows and smashed the phone off the wall. We looked for money and valuables, said Stonebraker.

"I shot twice but I want to make a point of explaining what really happened, not the way press printed it. I had no direct aim. My gun jammed, ballistics proved that. It was a sawed-off shot gun and when I did that it messed with the compression. Roger told me to shoot the woman again after we had each taken one shot and he had kicked the bodies. I told him I didn't want to shoot again and my gun was stuck. I handed him the gun. He pulled out the shell, reloaded it and handed it back. He ordered me to shoot the woman again. I shot in her direction, but when I looked my shot had not hit her like ordered by Roger," Stonebraker said.

"Afterwards me and Roger left in one of their cars. Roger wanted to do another killing. I told him I was feeling sick and wanted to go home. The other two guys had left in another car and by then we knew we were on the scanner and had no further contact with them," Stonebraker said as he ended the details of the evening.

Stonebraker received two 15-25 year sentences instead of two life sentences because he entered a guilty plea with his state appointed attorney. "I made a deal I would testify against Drollinger even if I would rot in jail," said Stonebraker.

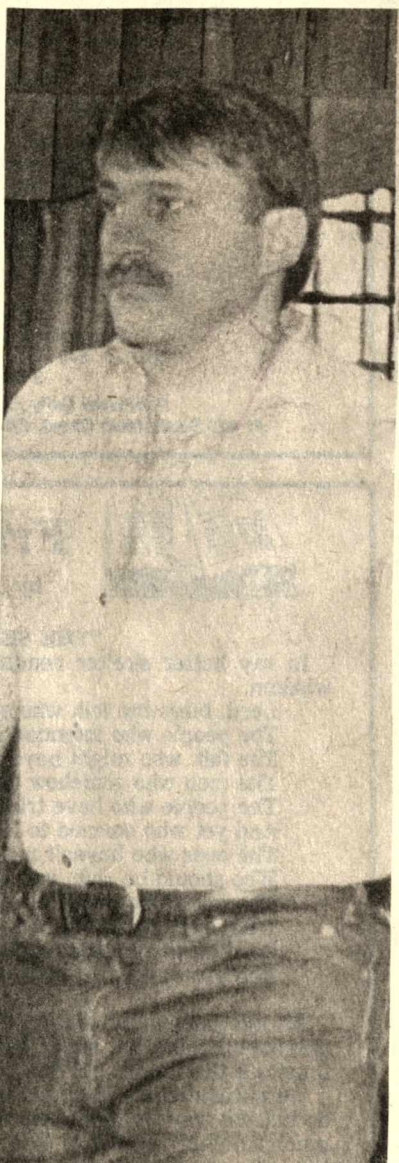
"I want to state that the press likes to exaggerate on anything that is bad already. This was a terrible and gory ordeal anyway. Why did the press print things like heads rolling across the floor? Why would they want to blow something out of proportion that was already bad," said Stonebraker.

Stonebraker stated that when he entered his cell he had intentions of hanging himself, but his family told him they loved him and God loved him. He said if God could have strength and appreciation for human life then his was worth sparing.

Stonebraker stated he had completed high school at North Montgomery High School and had taken courses through a Christian college in prison, but the teacher had become ill and the classes were cancelled. He also stated he was contemplating entering the college program in September.

"I feel remorse for my part in this," said Stonebraker.

The denial recommendation of the clemency board will now go to Governor Robert Orr for his decision.



Daniel Stonebraker



David Smith

Smith's plea

Smith was the first to give his plea for clemency. Smith approached the board, stated his name and prison number and was asked by Lewis Gregory, the board chairman, if he understood the definition of a clemency hearing. Smith acknowledged his question. Gregory asked Smith what was his plea to the board.

A two minute silence came from Smith. He trembled, his lower lip shook uncontrollably, not blinking his eyes began to water and then he took a large swallow.

"I was old enough to make my own decisions. I was 17 or so. My troubles revolved around my association with Drollinger, Wright and Stonebraker," Smith began.

Smith stated he started drugs at the age of 14 and had used marijuana earlier the day of the murders.

"I have no excuses for what I did," said Smith. He stated he totally accepted his part of the killings.

"I've been with Drollinger since I was 14. I completed my eighth grade and started my ninth, when I quit. . . I was living wherever. . .," said Smith.

He stated that Drollinger had asked him on several occasions if he thought he could kill. "I don't know," was Smith's response each time to Drollinger.

"Drollinger told me he would claim all responsibility. He would take care of everything," said Smith.

Smith stated that if he had any doubts in committing the murders, he knew Drollinger didn't, so he wouldn't hesitate to kill Smith. That idea convinced Smith to abide by Drollinger's orders, Smith said.

"I realize I probably could have gotten help from the police if I didn't do what Roger said, but I just didn't," said Smith.

"Drollinger was constantly asking my opinions on shooting and being shot. He just didn't care. Since I was the youngest, my opinion didn't count," stated Smith as the questions from the board continued.

"Everyone did the shooting," Smith said when asked who shot. "I fired twice," he said.

"Did anyone object to the killings?" Gregory asked. "Only second thoughts, nobody objected," Smith answered.

"I feel very different than I did then. I feel dirty, miserable. . . I try and wipe it out of my mind, but I can't. I accept my responsibility," Smith stated.

Smith said he had earned his General Education Diploma in prison and had completed a course in building and trades for brick laying. He added

that he also was planning to take college courses in September.

"If I get a second chance, I'll never associate with people like Drollinger again. I've learned my lesson. I pray a lot and my family is behind me now. I'm reaching goals in here I didn't out there. I know I'm being punished, but I'm learning because I want to," was Smith's final plea to the board.

The board's last question was whether Smith knew the Spencer family. "I didn't know these people. I can't speak for Roger," he answered.

REFERENCE
DO NOT CIRCULATE

Hollandsborg

Woman videotapes plea against murderers' release

By DAVID J. REMONDINI
STAR STAFF WRITER

The words will be familiar and the pain will still be evident on Betty Jane Spencer's face Tuesday when she argues against clemency for two of the men who murdered her family near Hollandsborg 11 years ago on Valentine's Day.

But instead of appearing in person before the Indiana Parole Board as she did last year, Mrs. Spencer will make her case on a videocassette she sent from her new home in Florida.

It is believed to be the first time the Parole Board will view a videotape as evidence in a hearing. Letters normally are used when a person cannot attend.

"I just feel it is more personal. I think a letter is a piece of paper, and I think people are so accustomed to looking at a piece of paper. It is difficult to get the full impact in a letter," Mrs. Spencer told *The Indianapolis Star* in a telephone interview.

Seeking clemency are David Smith

Indianapolis Star 2/28/88
Crime and Criminals (Col) - Hollandsborg
"I get angry every Christmas. I think of the big meals I'd be making, the grandchildren streaking around the house. The daughter-in-laws we'll never know. They took all that away from me."

— Betty Jane Spencer

and Daniel Stonebraker, two of four men serving life terms for what has been described as one of the most vicious mass murders in Indiana's history.

At gunpoint, the four forced their way into the Spencers' mobile home in rural Parke County and took turns killing Mrs. Spencer's son, Gregory Brooks, and three stepsons, Ralph, Raymond and Reeve Spencer.

Mrs. Spencer, who was shot and left for dead, recounts the tragedy in a 25-minute videotape she made by herself in her apartment.

"I want to be able to explain to them the impact of this crime on my life, the last 11 years, as well as to try to get across to them the David Smith and the Daniel Stonebraker that I saw. These

people never saw the people I saw that night."

She begins the tape reading from a prepared statement. Later, as she becomes more emotional, she speaks directly to the Parole Board.

"I beg of you, ladies and gentlemen, keep them in prison. I know the day will come when they will be released, but not for a long time, please."

Parole Board President Lewis J. Gregory said the use of a videotape as evidence in such a case is unusual, but that the board would try to accommodate her.

"If she wants to send us a videotape, we'll find out a way to work out the details. We'll play it at the hearing if at all possible," he said.

"It does present some interesting problems," he added. He pointed out that by state law, letters to the board are confidential. But the law does not address whether videotapes can be kept confiden-

Vigo County Public Library

Community Affairs File

REFERENCE
DO NOT CIRCULATE

tial. He also said storing videotapes could become a problem.

"If you write a story on this, other people might get the same idea, and we'll probably start seeing a lot of them," Gregory said.

Each of the killers was sentenced to four consecutive life terms for the slayings, which took place on the evening of Valentine's Day in 1977.

The killers — Smith, Stonebraker, Roger Drollinger and Michael Wright — forced their way into the Spencers' mobile home and ordered the five occupants to lie on the floor.

The men then took turns firing. A blast from Stonebraker's shotgun blew the top of Mrs. Spencer's wig off. Thinking she had been killed along with the boys, the men fled.

Mrs. Spencer survived to testify against them. In the years that followed she became a nationally known victims' rights advocate and met with President Reagan.

Today, she is Florida director of Mothers Against Drunk Drivers. She still travels, although less so now, she said. Occasionally, her speaking engagements conflicted and she videotaped her speeches and sent the tapes instead.

"I've done this a couple of times when I couldn't get to workshops, and it has been effective," she said.

She will be in Washington, D.C., Tuesday to testify at a White House Conference for a Drug Free America. She said she would not have attended the

clemency hearing in person as she did last year when Stonebraker made his initial appeal.

"I had decided I was not going to go every year anyway. It is kind of unfair to have to spend every vacation going up there to keep people in prison," she told *The Star*.

In the videotape, Mrs. Spencer reveals that she and her husband, Keith, who left for work at an Indianapolis television station shortly before the killings, have filed for divorce.

She points out that 80 percent of the parents of children who die get divorced, and she speculates the percentage is higher when the children are murdered.

She tells of her devastating loss. "I was with the boys. I saw them die. I saw the murders, and I was shot, too."

She recalls Ralph's interest in sports and the plans being made for Raymond's 18th birthday. That is all different now, she said.

"Every holiday is horrible. I get angry every Christmas. I think of the big meals I'd be making, the grandchildren streaking around the house. The daughter-in-laws we'll never know. They took all that away from me."

At his hearing last year, Stonebraker said he has found the Lord and now has the strength to resist repeating the crimes of his past. Mrs. Spencer is skeptical.

"Daniel Stonebraker right now might think he is a good Christian. But how is he going to be when he gets out in the real world and gets out of that controlled environment? People aren't going to be saying 'God loves you' and greeting him in that way," she said.

Mrs. Spencer reads the board

a letter Stonebraker wrote her two years after the killing, admitting he was the one who shot her.

"Did you notice that in this letter he did not say he was sorry? He asked for forgiveness for himself."

She also pointed out that despite his youthful appearance at his trial, Smith was a different person that night.

"David Smith had a great time. He seemed to really enjoy what he was doing. He was a big shot. He spoke terrible language. I never heard such filth."

Hearings for Stonebraker and Smith will be Tuesday in the State Office Building. Wright also is eligible for clemency but has not applied. Drollinger becomes eligible in August 1992. The men will not appear at the hearings, but the board will hear testimony for and against their release.

Because the killers are serving life sentences, they are not eligible for normal parole. The board can only recommend clemency, which must be approved by the governor.

Stonebraker, 31, who is at the Indiana Reformatory, and Smith, 29, an inmate at the Indiana State Prison, will testify before the Parole Board at the prisons later. The videotape will become part of the record in the Hollandsburg case.

"Please don't let another mother hurt the way I do," she says before walking out of the camera's eye to turn it off.

Drollinger's *Crime + Criminals (Ind)* tape charges 'false' arrest

Indpls. Star 3/10/82
By BRUCE C. SMITH

Roger C. Drollinger, serving four life terms in the Indiana State Prison for murder, testified in federal court here via a videotape Tuesday, claiming he was falsely arrested and jailed six days on a motorcycle theft charge in 1973.

Drollinger, convicted of murdering four members of a rural Hollandsburg family in 1977, was not allowed to testify in person.

Judge William E. Steckler considered him a serious security risk and ordered his testimony to be taped at the prison for replay to the six-member jury here.

Drollinger is asking \$150,000 in a civil rights lawsuit filed before the Hollandsburg murders. The suit was filed against the Crawfordsville Police Department and retired policeman Louis Swenke.

DROLLINGER ACCUSES Swenke and the department of false arrest, false imprisonment and negligence in investigation of his case.

Swenke and two other Crawfordsville city policemen arrested Drollinger Nov. 21, 1973, in the Crawfordsville High School gym where he was attending a professional wrestling match.

Swenke has said he arrested Drollinger after a police department clerk said there was an arrest warrant accusing Drollinger of stealing a motorcycle in Louisiana.

However, defense attorneys confirmed there was no warrant, only a theft complaint filed by a former Army friend of Drollinger's.

Drollinger, 28, was clean-shaven with neatly trimmed hair during the two-hour videotape made Jan. 22, 1980, at the prison, in contrast to his appearance when arrested for the murders.

THOUGH HE TRIED to give his address as P.O. Box 41, Michigan City — the mailing address of the prison — he was forced to acknowledge for the jury why he is in prison and that he has a history of arrests for theft.

Drollinger insisted several times that he was surprised, stunned and "scared to death" when he was arrested by Swenke.

Drollinger said Swenke at the time of arrest would not say exactly what the charges were, except to say that "they had some kind of federal warrant." He claimed he was not told of the exact charges against him for six days.

He also claimed he was held in a dimly lit Montgomery County Jail cell without a chance to exercise or make a telephone call until he finally received a Circuit Court hearing in which the judge set him free.

THE EPISODE BEGAN, according to Drollinger, when he sold his 1973 Honda motorcycle to Army Lt. Charles Augustus while at National Guard basic training at Fort Polk, La., in 1973. He claimed they signed a notarized agreement in which Augustus made a \$300 down payment and promised to make \$20 monthly payments.

When the payments stopped, Drollinger said he went back to Fort Polk and repossessed the motorcycle, which still bore his license plates.

Augustus asked for the \$300 back, but Drollinger insisted that the written agreement gave him the right to repossess the motorcycle and keep the down payment.

Augustus filed a stolen vehicle complaint with Louisiana authorities, triggering the arrest about three weeks after Drollinger took back the motorcycle.

Drollinger said he showed the policemen he had the motorcycle title proving his ownership but he was arrested anyway.

STECKLER REFUSED a request Tuesday by Drollinger's attorney, Kevin McShane, to introduce a transcript of the November 1973 hearing at which Drollinger was freed.

Testimony in that hearing tended to match Drollinger's version. However, the police department's defense attorney, William A. Hasbrook, argued that the transcript is filled with unsupported hearsay.

The hearing is scheduled to resume today.

Drollinger is serving the life prison terms for the execution-style slayings of Gregory Brooks, 22, and brothers, Ralph Spencer 14, Reeve Spencer, 16, and Raymond Spencer, 17, in their rural Hollandsburg mobile home in Parke County.

Drollinger, Roger

DO NOT CIRCULATE
REFERENCE

Community Affairs File

Drollinger, Roger C

Community Affairs File

Says civil rights violated

Murderer loses suit against police

Indpls Star 3/13/82

Crime + Criminals (Ind)

By BRUCE C. SMITH

A federal court jury Friday refused to award \$150,000 to murderer Roger C. Drollinger, who claimed the Crawfordsville Police Department had violated his civil rights.

The six-member jury deliberated slightly more than an hour before returning the verdict in favor of the police department.

DROLLINGER, 28, accused retired policeman Louis F. Swenke and the police department of false arrest, jailing him without a warrant for six days

and negligence in their investigation of his alleged 1973 theft of a motorcycle.

Judge William E. Steckler dismissed the negligent investigation charge after two days of testimony.

The theft case was filed in 1975, two years before Drollinger was arrested and convicted of the execution-style murders of four members of a rural Parke County family.

SWENKE AND TWO other Crawfordsville policemen, including Chief Carlos Goode, arrested Drollinger Nov. 21, 1973, on charges Drollinger stole a

1973 Honda motorcycle from a friend about three weeks earlier.

The imprisoned Drollinger, whose testimony was presented to the jury by videotape, said he had repossessed the motorcycle when the friend, an Army officer at Fort Polk, La., failed to make \$20 monthly payments to purchase the vehicle.

Drollinger insisted he owned the motorcycle and that the arresting policemen would not believe him when he tried to show them proof.

Wednesday, Swenke admitted there never was a warrant for Drollinger's arrest on the 1973 theft charge.

The arrest was made when a Crawfordsville Police Department dispatcher was assured by Fort Polk military police that there was a warrant. The military police gave a warrant number to Crawfordsville police, but that warrant number may have only been a theft-report number.

DROLLINGER WAS kept in the Montgomery County Jail without a court hearing for six days over a Thanksgiving weekend until he was finally released by a circuit judge.

By then, Swenke said he realized no warrant was issued after the theft report was forwarded by military police to the FBI at Alexandria, La.

Swenke disputed Drollinger's claim



Roger C. Drollinger

that the arrest was unnecessarily rough and embarrassing. He acknowledged that Drollinger claimed to own the motorcycle as he was being processed at the jail, but said no title could be found.

Drollinger, serving four life terms in the Indiana State Prison for the slayings in a Hollandsburg mobile home in 1977, was not allowed to testify in person during the two-day hearing.

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Drollinger, Roger C.

Community Affairs File

Crime + Criminals (Ira)
T s MAR 14 1982

Court denies Drollinger \$150,000 in damages

INDIANAPOLIS (AP) — A federal court jury has refused to award \$150,000 to convicted murderer Roger C. Drollinger, who claimed the Crawfordsville Police Department had violated his civil rights.

The six-member jury deliberated more than an hour before returning the verdict Friday in favor of the police department.

Drollinger, 28, accused retired policeman Louis F. Swenke and the police department of false arrest, jailing him without a warrant for six days and negligence in their investigation of his alleged 1973 theft of a motorcycle.

U.S. District Judge William E. Steckler dismissed the charge after two days of testimony.

The theft case was filed in 1975, two years before Drollinger was arrested and convicted of the execution-style murders of four members of a rural Parke County family.

Drollinger, who is serving four life terms in the Indiana State Prison for the slayings in a Hollandsburg mobile home in 1977, was not allowed to testify in person during the two-day hearing.

Swenke and two other Crawfordsville

policemen, including Chief Carlos Goode, arrested Drollinger Nov. 21, 1973 on charges Drollinger stole a motorcycle from a friend, an Army officer at Fort Polk, La., about three weeks earlier.

Drollinger, whose testimony was presented to the jury by videotape, said he had repossessed the motorcycle when the friend failed to make \$20 monthly payments to purchase the vehicle.

Drollinger insisted he owned the motorcycle and that the arresting policemen would not believe him when he tried to show them proof.

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Judge denies new trial for convicted murderer

15 OCT 25 1984

Community Affairs File

By John Halladay
Tribune-Star Staff Reporter

There will be no new trial for convicted Hollandburg murderer Michael Wright, Daviess Circuit Judge Robert L. Arthur ruled Thursday.

Wright is serving two life terms for his part in the Feb. 14, 1977, murders of Gregg Brooks and Reeve, Raymond and Ralph Spencer.

The four brothers were shotgunned to death in a mobile home by Wright, Roger Drollinger, David Smith and Daniel Stonebraker, all of whom were convicted in connection with the murders.

Wright also will continue serving two 15- to 25-year sentences also imposed in connection with the murders.

His post-conviction relief petition asked that all four convictions and

the sentences imposed Nov. 17, 1977, be overturned. Wright — and the state public defender's office — claimed he was not advised of certain rights and possibilities before the sentences were imposed.

But Arthur said Thursday he had checked the record and found that Wright "was advised of the necessary matters under the statute."

Arthur's ruling upholds action by his father, James R. Arthur, who retired from the bench Nov. 1, 1982.

"I've had to do that on other occasions," the younger Arthur said. In all three instances, his father turned out to be correct, he said.

James O. Hanner, Parke County prosecutor, said he was pleased with Arthur's rejection of the post-conviction relief petition. The state defender's office now likely will take the case to the Indiana Court of Appeals, Hanner said.

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Hollandburg Murders

Drollinger, Roger C.

Community Affairs File

Crime + Criminals (Ind.) Community Affairs File

Jury favors police in Drollinger suit

MAR 15 1981

INDIANAPOLIS (AP) — A jury has ruled in favor of the Crawfordsville Police Department in a \$150,000 civil rights suit filed by Roger C. Drollinger,

convicted in 1977 of the execution-style slayings of four members of a rural Parke County family.

The six-member jury deliberated more than an hour before returning the verdict Friday.

Drollinger, 28, had accused retired policeman Louis F. Swenke and the police department of false arrest, jailing him without a warrant for six

days and negligence in investigating his alleged 1973 theft of a motorcycle.

U.S. District Judge William E. Steckler dismissed the charge after two days of testimony.

The theft case was filed in 1973, four years before Drollinger was arrested and convicted of the murders.

Drollinger, serving four life terms in the Indiana State Prison for the slayings in a Hollandsburg mobile home, was not allowed to testify in person during the two-day hearing.

Swenke and two other Crawfordsville policemen, including

Chief Carlos Goode, arrested Drollinger Nov. 21, 1973, on charges Drollinger stole a motorcycle from a friend, an Army officer at Fort Polk, La., about three weeks earlier.

Drollinger's testimony was presented to the jury by videotape. He said he repossessed the motorcycle when the friend failed to make \$20 monthly payments to purchase the vehicle.

Drollinger insisted he owned the motorcycle and that the arresting policemen would not believe him

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Parke Co. Sentinel
Crime + Criminals (tbl) *Community Affairs File 10-1-84*

Wright In Court Seeking New Trial For Part In Hollandsburg Murders

Michael Wright testified Wednesday, September 26, that he would not have pleaded guilty to all four of the Hollandsburg murders if he had known he would never be eligible for parole.

Wright, now 29 years old, appeared in Daviess Circuit Court in Washington, Indiana, for a hearing for post-conviction relief. Wright is seeking a new trial. It was in this same courtroom that Wright received two life sentences and two 15-to-25 year sentences for his part in the execution-style slayings of Gregg Brooks, and Raymond, Ralph and Reeve Spencer at their rural Hollandsburg home February 14, 1977.

The hearing last Wednesday showed the passing of time since the four murders shocked not only Parke County, but the entire state as well. Seated at the bench hearing the arguments for a new trial was Daviess Circuit Court Judge Robert L. Arthur. He is the son of Judge James R. Arthur who sentenced Wright in 1977. Representing the state was Parke County Prosecutor James Hanner. He is the son of Clelland Hanner, who as county prosecutor in 1977 successfully led the prosecution of the four Hollandsburg killers.

In October of 1977 Wright pleaded guilty to first degree murder in the killing of Reeve Spencer and to second degree murder in the slaying of Raymond and Ralph Spencer and Gregg Brooks. He was sentenced November 7, 1977.

Questioned by Hanner, Wright admitted that parole eligibility was not the only consideration he made in his guilty plea. "Number one,"

he said, "I felt like that was what I should do. I thought it was in my best interest. I was told it was."

As part of Wright's original plea bargain agreement, in exchange for his testimony against co-defendants Roger Drollinger and David Smith, he was not to be imprisoned in the same penitentiary with Drollinger. In the agreement, Wright also waived his right to a trial.

Deputy Public Defender Jo Ann Farnsworth, representing Wright, told the court last week that the plea bargain was "illusory" and her client's guilty pleas were not entered knowingly, intelligently, and voluntarily. She said her client was therefore denied a public and speedy trial.

Stephen Trueblood of Terre Haute, who defended Wright in 1977, testified that he told his client "that if he ever wanted to see the light of day out of the penitentiary that he should cooperate with the state."

At the heart of Wright's argument for a new trial is a change in Indiana law. In 1977 when he was convicted, there was a parole board regulation stating anyone receiving a life sentence for first or second degree murder could never be eligible for a parole board review, which could eventually lead to a parole.

But in 1979 the legislature approved a state statute that the state parole board must consider for review a person receiving one life sentence for first or second degree murder after they had served 20 years in prison. This mandate was made retroactive, meaning it covered all preceeding cases. A review of the case does not necessarily mean the person

will receive an actual parole.

Wright contends that if he had not pleaded guilty he might, at a trial, been convicted of murdering the only person he testified he actually shot at the Keith Spencer home in 1977. Therefore, he contends, he might have been convicted of only one murder instead of four, and could have been subject to a review by the parole board (in 1994) which might lead to eventual release. Under the new state statute, a person serving two or more murder sentences for first and second degree murder still can never come up for review.

In court last week, Wright testified that he thought he would be given clemency in 20 years if he pleaded guilty to the murders. He has now served seven years, at the state penitentiary at Plainfield. With two life sentences he is not ever eligible for review by the parole board.

Wright testified Wednesday that after reading the statements of Betty Spencer, the only survivor of the slayings, and State Police Detective Lloyd Heck and co-defendant Daniel Stonebraker's confession, he advised Wright to plead guilty. Trueblood said he never promised Wright that he would get a parole.

The prosecution entered into the court record the confession Wright made while in California where he fled after the murders and was subsequently arrested.

Judge Arthur indicated he would rule on the request within 30 days.

Stonebraker also appealed for post conviction relief, but was denied by the Decatur Circuit Court at Greensburg.

Hollandsburg Murders

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library



BACK IN COURT. Michael Wright, convicted for his part in the 1977 Hollandsburg murders, appeared in Daviess Circuit Court at

Washington, Indiana, Wednesday, September 26. Wright is requesting a new trial. (Photo courtesy of Washington Times-Herald)

Court Upholds Sentences Given Roger Drollinger In Hollandsburg Murder Case

Crime & Criminals (Ind)
Parke Co. Sentinel 8/27/80

The State Supreme Court has unanimously upheld the four life sentences given to Roger Drollinger for his part in the Hollandsburg murders. Drollinger was the ringleader of the group of four Montgomery County men who shotgunned to death Ralph, Raymond and Reeve Spencer and their stepbrother, Gregory Brooks, at their rural Hollandsburg home in February of 1977.

After a 12 day trial in Blackford Circuit Court at Hartford City in September of 1977, the jury convicted Drollinger of the boys' deaths. The prosecution, led by then Parke County Prosecutor Clelland Hanner, called 43 people to the stand to give testimony and entered 103 items into evidence.

The trial had three star witnesses. Chief among them was Betty Jane Spencer, wife of Keith Spencer, who was at the home when the intruders came. She was shot also but only wounded. She survived by playing dead and testified she saw Drollinger at her home that night. Also testifying against Drollinger were two of the gang, Daniel Stonebraker and Michael Wright.

In his appeal before the state's high court, Drollinger raised 11 issues in which he claimed the trial court erred. Judge Bruce Bade presided over the Hartford City trial. Ironically, Bade had also presided over the trial of Donald "Chet" Norton of Rockville, who was subsequently convicted in a Parke County murder-for-hire scheme just one year before.

Drollinger argued that the court was in error when it denied a motion for a second change of venue. The trial had been moved from Parke County to Hartford City because of claims of prejudices locally. Drollinger sought to have the trial moved again because of statewide publicity about the Hollandsburg murders, but it was refused.

Another objection presented by Drollinger was the entering into evidence of a .38 caliber revolver which the prosecution claimed he had personally carried during the murder rampage at the Spencer home. The revolver was not used in the actual murders but Mrs. Spencer testified Drollinger held it to her head while making demands for money.

Drollinger also objected to Bade denying his request to sequester - lock up - the trial jury. Bade admonished each juror constantly throughout the trial not to read newspapers, watch

television or listen to radio, or discuss the trial with anyone. The state court said that despite the extensive publicity and news coverage of the case, an impartial jury was seated and that Judge Bade thoroughly projected jurors so that it was not necessary to sequester them.

Another of Drollinger's objections was the admission of 11 color photographs of the murder victims and the crime scene. He claimed the photographs were "repetitious and gruesome" and served "only to inflame the minds of the jurors." However, the supreme court said the pictures would obviously be gruesome because they dealt with four young men who had been killed by shotgun blasts at close range. The court also said the pictures depicted different aspects of the case and were not, therefore, repetitious.

Another of the objections was allowing James Lyons to testify. Lyons, 17, from Wingate, testified that Drollinger had once offered him a job and when he asked what kind, Drollinger had said "Everything, including murder."

Drollinger also objected to the court granting a motion concerning witness Kevin Rhodes. This apparently referred to granting Rhodes immunity from questions about his past drug convictions. Drollinger also claimed the court erred by failing to grant a mistrial for the conduct of the prosecutor. This was apparently referring to Blackford County Prosecutor Tom Brown's comparing Drollinger to mass murderer Charles Manson and asking him about reading the book "In Cold Blood" by Truman Capote.

Other objects raised by Drollinger was the court refusing to use two jury instructions his attorney submitted, denial of due process and lack of sufficient evidence.

The state court said that despite the fact that Drollinger's original attorney, Nile Stanton, stepped aside early in the case, the defense still had enough time to prepare their case. After Stanton left to defend Tony Krisitis who kidnapped and held an Indianapolis loan official hostage, the Drollinger defense was taken over by Michael Conway of Indianapolis. One of Drollinger's objections was that the court denied his motions for continuances.

In reviewing all 11 objections by Drollinger in the appeal, the high court said there was only one

"minor error" disclosed. But it said there was no basis for Drollinger to claim he was denied due process. The court also said that direct testimony of witnesses provided enough evidence so a jury could convict Drollinger "beyond a reasonable doubt."

The original trial jury was out about an hour before the seven men and five woman returned to the courtroom with a guilty verdict on all counts. On October 17 Judge Bade sentenced Roger Drollinger to four life terms in prison - one for each of the victims. In sentencing Drollinger, Judge Bade said "It is obvious to me that the crimes you have been

convicted of were senseless and brutal. And it also is also readily apparent you have no respect for the law, and worse yet, for the life of your fellowmen. As far as I can see you placed absolute no value on human life and therefore, society must be protected from you at all costs." Then Bade added, "You are a prime example of why the state needs a death penalty." The judge told Drollinger that he would recommend to the Department of Corrections that he "never be granted any clemency for your action."

Drollinger is serving his sentence at the Indiana State Prison at Michigan City.

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Community Affairs File

Hollandsborg Murders

Serving life for Hollandsborg killings

Wright's new-trial status in hands of judge

Crime & Criminals (Ind) - Hollandsborg
Ts SEP 27 1984

Daviess Circuit Judge Robert L. Arthur is studying whether there should be a new trial for Michael Wright, who is serving two life sentences for his part in the Feb. 14, 1977, Hollandsborg murders of Gregg Brooks and Reeve, Raymond and Ralph Spencer.

The four brothers were shotgunned to death in a mobile home by Wright, Roger Drollinger, David Smith and Daniel Stonebraker, all of whom were

convicted in connection with the murders.

Wright also is serving two 15- to 25-year sentences for participating in the murders.

Wright's post-conviction-relief petition asks that all four convictions and the sentences imposed Nov. 17, 1977, be overturned.

The petition claims Wright was not advised he would be waiving his rights to a public and speedy trial before his guilty pleas were

accepted. Wright also claims he was not advised of the possibility of consecutive sentences or of the possibility of an increased sentence because of prior convictions. He also says he might have been convicted of only one murder had he not pleaded guilty, and that a change in state law after the trial would then have made him eligible for parole.

Wright's request for a new trial was heard Wednesday in Daviess

Circuit Court by Judge Robert L. Arthur, the son of James R. Arthur, who imposed the sentences on Wright back in 1977. The elder Arthur retired from the bench Nov. 1, 1982.

Judge Robert Arthur said attorneys for both sides in the case would have two weeks to submit additional legal papers on why or why not to give Wright a new trial.

Arthur set no specific date to rule on the request.

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Crime & Criminals (4nd)

2 convicted Hollandsburg murderers seek appeals

Community Affairs File

T 3 JAN 7 1984
By Patrick J. Barnes
Tribune-Star Staff Reporter

Two of four men serving life sentences for their participation in the 1977 St. Valentine's Day massacre of four Hollandsburg youths have filed court petitions saying their rights were violated at the time they were convicted of murder.

Betty Spencer, the lone survivor of the mass murders, said the murderers "have to be kept away from society."

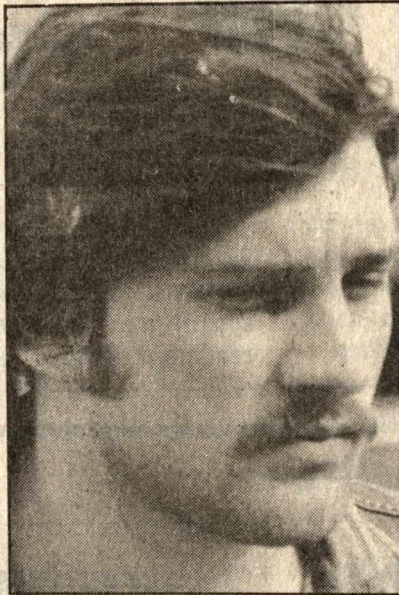
Daniel Stonebraker, 28, and Michael Wright, 22, filed petitions for post-conviction relief in Decatur County Circuit Court. No date for the hearing has been set by the court.

Former Parke County Prosecutor Clelland Hanner said post-conviction relief petitions are standard procedure for convicted felons.

"Every killer is trying to find some court mistake that would set them free," Hanner said.

Stonebraker and Wright, along with David Smith, 25, and ringleader Roger Drollinger, 31, were convicted of the shotgun slayings of the four sons of Betty and Keith Spencer.

The four youths, Ralph, Reeve,



DANIEL STONEBRAKER



MICHAEL WRIGHT

Raymond and Gregory, and Mrs. Spencer were lined up on the living room floor of the Spencer modular home face down when the four murderers began firing shotgun blasts into the back of their heads.

Mrs. Spencer was left for dead. She recovered from her wounds and

later testified against her sons' assailants.

Stonebraker and Wright allege in the petitions they were not apprised of their constitutional rights during the trial.

"That's a bunch of hogwash," Hanner said.

Vigo County Public Library

DO NOT
REFERENCE
ATT

Community Affairs File

Hollandsburg Massacre

Hollandsburg

Escape attempt reported to involve Drollinger

Crime & Criminals (Ind)

MAR 28 1981

MICHIGAN CITY, Ind. (UPI) — Three Indiana State Prison inmates, including convicted mass murderer Roger Drollinger, unsuccessfully tried to escape from the prison Wednesday night, Indiana State Police said today.

Prison officials told police Drollinger, 28, Waynetown, and two other prisoners fashioned a 40-foot rope from mop heads and handles and attempted to scale the prison's east wall at about 7:15 p.m. Wednesday.

The inmates were spotted by guards and captured.

Drollinger is serving 15 years on four counts of murder for the Feb. 14,

1977, Hollandsburg murders of the four sons of Keith and Betty Spencer. He and three other men were convicted in the shotgun deaths, known as the "Valentine's Day Massacre."

Officials said the other inmates who attempted to escape were Theodore Hammer, 25, who is serving life plus 10 years for a robbery and kidnapping in Vanderburgh County, and Paul Stucker, 20, who is serving two consecutive terms for armed robbery in Jefferson County.

Police said prison officials did not reveal the attempted escape until early today.

Vigo County Public Library

REFERENCE
DO NOT CIRCULATE

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Hollandsburg Murders

Putnam Co Banner Graphic 9-27-84
Wright asks judge to uphold his rights

Community Affairs File

WASHINGTON, Ind. (AP) — Michael Wright, who pleaded guilty in the 1977 murders of four Hollandsburg brothers, claims that he did not know he had waived his right to a trial when he agreed to plead.

Wright on Wednesday asked Daviess Circuit Court Judge Robert L. Arthur for a new trial.

Under a plea agreement, Wright pleaded guilty to the Feb. 14, 1977, murders of Ralph Spencer, 14; Reve Spencer, 16; Raymond Spencer, 17, and their step-brother, Gregory Brooks, 22.

Crime & Criminals File
In exchange for his plea, three of four charges of first-degree murder against Wright were changed to second-degree murder. He was sentenced to three concurrent 15-25 year jail terms and one life term in the Indiana Reformatory in Pendleton.

Wright, 28, formerly of Crawfordsville, claims he wasn't advised he would be waiving his right to a public and speedy trial before his guilty pleas were accepted.

He also says he might have been convicted of only one murder had he not

pleaded guilty, and that a change in state law after the trial would then have made him eligible for parole.

Wright's request for a new trial was heard Wednesday in Daviess Circuit Court by Judge Robert L. Arthur, the son of James R. Arthur who imposed the sentences on Wright in 1977.

Judge Arthur said Wednesday attorneys for both sides in the case would have two weeks to submit additional legal papers on whether Wright should get a new trial.

Arthur set no specific date to rule.

Crime & Criminals (Ind)
Community Affairs File

Convicted Hollandsbury murderer tries to flee

MAR 28 1981

MICHIGAN CITY, Ind. (AP) — One of the men convicted in the Hollandsbury murders tried unsuccessfully to escape from the Indiana State Prison, state police reported Friday.

Roger Drollinger, 28, and two other inmates were captured Wednesday night when a tower guard spotted them trying to escape, police said.

Drollinger is serving 15 years on four drug-dealing charges and four concurrent life sentences in the deaths of four Hollandsbury brothers on Valentine's Day in 1977. Three other men also were convicted in the slayings.

The two other inmates with Drollinger were identified as Theodore Hammer, 25, serving life plus 10 years from Vanderburgh County, and Paul Stucker, 20, serving two consecutive 7-year terms from Jefferson County for armed robbery.

Investigators said the three fashioned a 40-foot-long chain of mop heads and mop handles with a large steel hook on the end and were attempting to secure the hook to a gun porthole in the east wall of the prison when they were apprehended about 7:15 p.m.

Police said the LaPorte County prosecutor was considering filing jailbreak charges.

REFERENCE
DO NOT CIRCULATE

Hollandsburg Murders

SEP 22 1984
Hollandsburg killer seeks new trial

Crime & Criminals (Ind)

Michael Wright, serving two life sentences for his part in the Feb. 14, 1977, Hollandsburg murders of Gregg Brooks and Reeve, Raymond and Ralph Spencer, is asking for a new trial.

The four brothers were shotgunned to death in a mobile home — and their mother, Betty Spencer, was seriously wounded — by Wright, Roger Drollinger, David Smith and Daniel Stonebraker, all of whom were convicted in connec-

tion with the murders.

Wright also is serving two 15- to 25-year sentences for participating in the murders.

Wright filed a post-conviction relief petition requesting that all four convictions and the sentences imposed Nov. 17, 1977, be overturned.

The petition claims Wright was not advised he would be waiving his rights to a public and speedy

trial before his guilty pleas were accepted. Wright also reportedly claims his attorney, Stephen Trueblood of Terre Haute, told him before he pleaded guilty that unless he cooperated he would never get out of prison.

Trueblood was not immediately available for comment.

Wright's request for a new trial will be heard Wednesday in Daviess Circuit Court.

Community Affairs File

REFERENCE
DO NOT CIRCULATE

Vigo County Public Library

Heck remembers Hollandsburg

By MARK BLANCHARD
Times Staff Writer

St. Valentine's Day 1977 was not one of love for four Hollandsburg youths.

Four years ago today, the four brothers were cold-bloodedly executed in one of the most brutal crimes ever in this area — an incident which became known as the St. Valentine's Day Massacre of 1977.

Correlations with the original St. Valentine's Day Massacre in 1929 were immediately drawn.

On Feb. 14, 1929, in Chicago, seven gang members were lined up and gunned down by opposing gangsters.

FORTY-EIGHT YEARS later, the four young boys and their mother were ordered face down on their mobile home floor and riddled with shotgun blasts. Miraculously, the mother survived. She later provided invaluable information in helping investigators solve the crime.

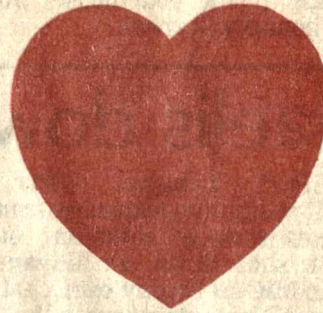
Four young men — who later indicated they wanted to discover what it was like to kill a human being — were arrested, charged and later convicted for the murders.

The four — Roger Drollinger, Daniel Stonebraker, Michael Wright and David Smith — all received harsh sentences.

The crime was one which affected many people. And it was one people don't forget. One person who remembers it as well as anyone is Loyd Heck.

HECK, A FIRST sergeant with the Indiana State Police, headed the investigating team which cracked the case. A native of Clay County, Heck recently recalled the incident in an interview with The Brazil Times.

Hollandsburg: Brutality and Compassion



The Valentine's Day contrast between love and hate is featured in today's series of articles about the Hollandsburg murders four years ago and Loyd Heck, who helped solve the case.

Today's front-page stories recap the brutal Hollandsburg case.

Four young men were arrested and convicted for the murders.

Roger Drollinger received four life sentences for his part in the Hollandsburg murders. He is serving his sentences at the Indiana State Prison in Michigan City.

The other three are serving their time at Pendleton Reformatory.

David Smith also received four life sentences.

Michael Wright and Daniel Stonebraker, however, were given two life sentences and two 15-20-year sentences after a plea bargain agreement with the state.

Contrasting that brutality is the compassionate side of Heck, which can be seen on page 3.

"There's no doubt it was the most significant or most publicized case I've ever had."

About 1 a.m. on Feb. 14, 1977, Heck received a call about the murders.

Ralph, 13, Reeve, 16 and Raymond Spencer, 17 and their step-brother, Gregory Brooks, 22, were dead. Betty Spencer, Brooks' mother and the others' step-mother, lived only because of her wig. When she was shot, the hairpiece flew off and the assailants must have thought it was part of her head, Heck said.

After the attackers left, she struggled to a neighbor's home to get help. Soon, an extensive in-

vestigation was launched into the crime.

FOR THE NEXT 23 days, Heck and his squad worked 16-18 hours a day tracking down possible leads.

The break came with Stonebraker, Heck said. And he noted the key to solving the crime was a reward which had been put together.

Heck said some of Stonebraker's friends began asking the youth about a gun he had. They were interested in buying the weapon — if it wasn't the murder weapon. That's when Stonebraker flubbed up.

"His friends asked him 'If the weapon wasn't used in the crime, we'd like to have it,'" Heck

recalled. "He replied, 'You wouldn't want it then.'"

Heck added, "We followed that and actual photos of him, which we showed to Mrs. Spencer. She positively identified them, and one thing led to another. We picked him up and he told his story."

STONEBRAKER GAVE a nine-page statement detailing the crime and naming his three partners. From there, it was a matter of locating and arresting the others.

Which wasn't easy.

Three days after Stonebraker was nabbed, authorities picked up Wright in San Jose, Calif. Heck and ISP Detective Sergeant Barney Thrasher flew there to get him.

A nationwide manhunt continued for the others. Smith was arrested in late March in Lexington, Ky.

Meanwhile, authorities were informed the ringleader, Drollinger, was in Florida. Heck and others went there to help with the search. Finally, almost two months after the murders, Drollinger surrendered in Indianapolis.

HECK RECALLS the effort involved in the case was exhausting.

"It took a lot of hard work," he said. "It also took a lot of cooperation from police officers in the various parts of the country."

Publicity about the case was abundant also.

"A lot of the publicity was comparing it with the massacre in 1929," Heck said.

"The crime made national and international news. I've received at least two letters from England, where people had read about the crime and investigation."

What one thing does Heck remember most about the case?

"It's the first homicide I ever worked that there was a kill for thrill," he replied.

slaughter

REFERENCE
DO NOT CIRCULATE

Community Affairs File

Vigo County Public Library



Familiar scene in 1977

Loyd Heck (right), then a detective sergeant for Indiana State Police, was a familiar figure escorting Roger Drollinger to and from different hearings back in 1977. Drollinger was one of four persons convicted for the Hollandsburg murders and received four life sentences. (Time file photo)

